



## A G E N D A

### GARDEN GROVE PLANNING COMMISSION

#### REGULAR MEETING

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June 18, 2020

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE

**Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing [planning@ggcity.org](mailto:planning@ggcity.org) no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record and will be uploaded to the City's website.**

**In light of health risks associated with COVID-19, members of the public are asked to consider very carefully before attending this meeting in person and to maintain a six foot distance from others. Please do not attend this meeting if you have traveled internationally, particularly to China, European countries, Iran, Japan, South Korea, Taiwan, and/or have had direct contact with someone who has travelled to those places or tested positive for Coronavirus (COVID-19), or if you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.**

#### REGULAR SESSION – 7:00 P.M. – COUNCIL CHAMBER

ROLL CALL: CHAIR LEHMAN, VICE CHAIR PEREZ  
COMMISSIONERS LE, LINDSAY, NGUYEN, RAMIREZ, SOEFFNER

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Community Meeting Center Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

#### PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

A. ORAL COMMUNICATIONS - PUBLIC

B. APPROVAL OF MINUTES: April 16, 2020 and May 7, 2020

- C. CONTINUED PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)

Continued from April 16, 2020 (Public Hearing Open):

- C.1. CONDITIONAL USE PERMIT NO. CUP-339-11 (REV. 2020)

APPLICANT: THE MAP SPORTS FACILITY

LOCATION: SOUTHEAST CORNER OF WESTERN AVENUE AND LAMPSON AVENUE AT 12552 WESTERN AVENUE

REQUEST: To modify the approved plans and Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), for an existing indoor sports facility, MAP Sports Facility, to expand the hours of operation allowing daytime weekday business hours and activities and to expand the existing parking lot to provide additional parking spaces. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-339-11 (REV. 2020), subject to the recommended Conditions of Approval.

- D. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)

- D.1. CONDITIONAL USE PERMIT NO. CUP-178-2020

APPLICANT: TARGET CORPORATION

LOCATION: EAST SIDE OF HARBOR BOULEVARD, SOUTH OF CHAPMAN AVENUE AT 12100 HARBOR BOULEVARD

REQUEST: Conditional Use Permit approval to allow an existing retail store, Target, to operate with a new State Alcoholic Beverage Control (ABC) Type "21" (Off-Sale, General) License. Currently, the store is operating with an ABC Type "20" (Off-Sale, Beer and Wine) License under CUP-132-04. The site is in the HCSP-TCB (Harbor Corridor Specific Plan-Tourist Commercial B) zone. Upon approval and exercising of the subject request, the Conditional Use Permit previously governing the tenant space, CUP-132-04, shall be revoked and become null and void. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the

California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-178-2020, subject to the recommended Conditions of Approval.

D.2. SITE PLAN NO. SP-085-2020

APPLICANT: KIMLEY-HORN AND ASSOCIATES, INC. (JUSTIN BECKER)

LOCATION: SOUTHEAST CORNER OF CHAPMAN AVENUE AND HARBOR BOULEVARD AT 12100 HARBOR BOULEVARD

REQUEST: Site Plan approval to allow the conversion of 9,292 square feet of an existing garden center structure into stock area for an existing Target store. The site is in the HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial “B”) zone. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

STAFF RECOMMENDATION: Approval of Site Plan No. SP-085-2020, subject to the recommended Conditions of Approval.

D.3. CONDITIONAL USE PERMIT NO. CUP-188-2020

APPLICANT: YOUNG YI PARK

LOCATION: SOUTH SIDE OF GARDEN GROVE BOULEVARD, BETWEEN BEACH BOULEVARD AND COAST STREET, AT 8100 GARDEN GROVE BOULEVARD

REQUEST: Conditional Use Permit approval to allow the operation of a new trade school, Sierra State University, in an existing 6,765 square foot one-story building. The existing Conditional Use Permit governing the tenant space, for a culinary and trade school, CUP-035-2015, shall be revoked, and become null and void. The site is in the GGMU-1 (Garden Grove Boulevard Mixed Use 1) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-188-2020, subject to the recommended Conditions of Approval.

D.4. CONDITIONAL USE PERMIT NO. CUP-187-2020  
INTERPRETATION OF USE NO. IOU-003-2020  
VARIANCE NO. V-031-2020

APPLICANT: L & L KIDS ENTERTAINMENT, INC.

LOCATION: NORTHWEST CORNER OF CHAPMAN AVENUE AND  
BROOKHURST STREET AT 9691 CHAPMAN AVENUE

REQUEST: Interpretation of Use approval to determine the compatibility between an indoor playground with arcade games and the NMU zone classification, and to allow the proposed use subject to Conditional Use Permit. Also, a request for Conditional Use Permit approval to allow the operation of a new, 14,000 square foot, indoor playground with arcade games and food service, L & L Kids Entertainment, at the Garden Grove Promenade shopping center, and Variance approval to allow the proposed use to deviate from the required minimum distance of 200 feet between an arcade use and a residentially zoned property. The site is in the NMU (Neighborhood Mixed Use) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities, and 15303 – New Construction or Conversion of Small Structures.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-187-2020, Interpretation of Use No. IOU-003-2020, and Variance No. V-031-2020, subject to the recommended Conditions of Approval.

D.5. SITE PLAN NO. SP-086-2020  
LOT LINE ADJUSTMENT NO. LLA-024-2020

APPLICANT: HGGA PROMENADE, LP

LOCATION: NORTH OF CHAPMAN AVENUE, BETWEEN GILBERT  
STREET AND BROOKHURST STREET, AT 9665  
CHAPMAN AVENUE

REQUEST: Site Plan approval to construct a new, 4,200 square foot one-story bank building for City Bank, along with associated site improvements, at the Garden Grove Promenade Shopping Center. Also, a request for Lot Line Adjustment approval to adjust an interior lot line by 61.99 feet to accommodate the construction of the new building. The site is in the NMU (Neighborhood Mixed Use) zone. In conjunction with the request, the Planning Commission will consider a determination that

the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 – New Construction or Conversion of Small Structures.

STAFF RECOMMENDATION: Approval of Site Plan No. SP-086-2020 and Lot Line Adjustment No. LLA-024-2020, subject to the recommended Conditions of Approval.

D.6. VEHICLE MILES TRAVELED (VMT) THRESHOLD

The Planning Commission will consider and make a recommendation to City Council regarding adoption of a Vehicle Miles Traveled (VMT) threshold related to transportation analysis for California Environmental Quality Act compliance as well as adopting Local Guidelines for implementation pursuant to Senate Bill 743.

STAFF RECOMMENDATION: Recommend to City Council approval of a resolution adopting a Vehicle Miles Traveled (VMT) threshold related to transportation analysis for California Environmental Quality Act compliance as well as adopting Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service.

E. MATTERS FROM COMMISSIONERS

F. MATTERS FROM STAFF

G. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION  
Council Chamber, Community Meeting Center  
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes  
Thursday, April 16, 2020

CALL TO ORDER: 7:02 p.m.

ROLL CALL:

Chair Lehman  
Vice Chair Perez  
Commissioner Le  
Commissioner Lindsay  
Commissioner Nguyen  
Commissioner Ramirez  
Commissioner Soeffner

Absent: Ramirez

Commissioner Ramirez joined the meeting at 7:07 p.m.

ORAL COMMUNICATIONS – PUBLIC – None.

March 5, 2020 MINUTES:

Action: Received and filed.

Motion: Perez Second: Lindsay

Ayes: (7) Le, Lehman, Lindsay, Perez, Nguyen, Ramirez,  
Soeffner

Noes: (0) None

CONTINUED PUBLIC HEARING FROM MARCH 19, 2020 - SITE PLAN NO. SP-081-2020 AND TENTATIVE TRACT MAP NO. TT-18181 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF LAMPSON AVENUE, BETWEEN 9<sup>TH</sup> STREET AND WEST STREET AT 11712 LAMPSON AVENUE.

Applicant: NHAN VUONG

Date: April 16, 2020

Request: Site Plan and Tentative Tract Map approval to subdivide an existing 47,286 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as a cul-de-sac (Lot 5). Lot 1 will be 10,031 square feet, Lot 2 will be 8,312

square feet, Lot 3 will be 10,520 square feet, and Lot 4 will be 7,783 square feet. The existing single-family home will be reconfigured to fit within the developable area of Lot 1, and will include the construction of a new second-story addition. Lots 2, 3, and 4 will each be improved with a new two-story, single-family home. Also, a minor land deviation to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of six feet. The site is in the R-1 (Single-Family Residential) zone. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15333 – Infill Development Projects.

Action: Resolution No. 5978-20 was approved with an amendment to add Condition No. 70, which stated that the garage for Lot 4 shall be designed to maintain a minimum garage door size width of 18 feet. The applicant agreed to immediately clean up the property and to meet with Code Enforcement to coordinate access to the property. One letter of opposition was submitted by Holman Morgan with a privacy concern in regard to the two-story height adjacent to single-family homes and the parking impacts within the neighborhood. An additional letter of opposition was submitted by Donald Trubiroha in regard to the two-story height next to single-family, privacy concerns and existing property maintenance issues.

Motion: Lindsay Second: Ramirez

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

CONTINUED PUBLIC HEARING FROM APRIL 2, 2020 – CONDITIONAL USE PERMIT NO. CUP-339-11 (REV. 2020) FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF WESTERN AVENUE AND LAMPSON AVENUE AT 12552 WESTERN AVENUE.

Applicant: THE MAP SPORTS FACILITY

Date: April 16, 2020

Request: To modify the approved plans and Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), for an existing indoor sports facility, MAP Sports Facility, to expand the hours of operation allowing daytime weekday business hours and activities and to expand the existing parking lot to provide additional parking spaces. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

Action: The applicant requested to open the public hearing and to continue the item to the June 4, 2020 Planning Commission meeting to allow additional time to address issues raised from public comments received by the City of Garden Grove. One letter was submitted by Royden Fujimori in regard to weekday parking impacts and safety issues. An addition letter was submitted by Container Supply also citing parking impacts and safety issues. The public hearing portion of the meeting was opened and a motion to continue the item to the June 4, 2020 meeting was approved.

Motion: Perez Second: Lindsay

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

ITEM FOR CONSIDERATION - REVIEW OF THE CODE OF ETHICS: Commissioners reviewed and acknowledged the Code of Ethics governing the Planning Commission.

MATTERS FROM COMMISSIONERS:

DISCUSSION ON LIMITING THE NUMBER OF MASSAGE ESTABLISHMENTS IN THE CITY:

- Prior to 2008, the City of Garden Grove regulated massage establishments through zoning regulations and the Police Department permitting process, classifying the use as 'adult entertainment' to operate in the C-2 zone, to comply with distance requirements, and to obtain a Conditional Use Permit.
- In 2008, the State adopted Senate Bill (SB) 731, the Massage Therapy Act, which restricted local land use control over massage establishments and created a voluntary certification process through the California Massage Therapy Council (CAMTC). Businesses employing certified massage therapists could operate as a 'professional service use,' pre-empting the City from enforcing existing zoning regulations.
- In response, the City established a policy, which classified massage establishments as a 'medical use' to operate in commercial zones that permitted medical uses. Permits were obtained from the Police Department.
- After SB 731, the number of massage establishments in the City increased from 1 (a health spa) to 23 by 2015.
- In 2014, due to concerns with some licensed establishments operating as fronts for prostitution and human trafficking, the State adopted Assembly Bill (AB) 1147, the Massage Therapy Act, which restored local land use control over massage establishments. AB 1147 became effective January 1, 2015.
- In response, on May 26, 2015, the City Council adopted Ordinance No. 2856 to amend and update the Title 5 Massage Regulations in the Municipal Code,



to allow the Police Department to use regulatory and operational standards to regulate future massage establishments.

- On September 3, 2015, the Planning Commission approved a Resolution and the City Council approved an Amendment, via an Ordinance, to update Title 9 of the Municipal Code to provide consistency with Title 5 and AB 1147. The Amendment introduced new definitions, identified zones, established parking, and special operating conditions, such as new establishments maintaining 1000-foot distance from existing massage establishments, orienting the businesses toward major streets away from residences, and not permitting live entertainment or alcoholic beverages.
- After the approved Amendment in 2015, 22 of the establishments were classified as legal non-conforming uses. Currently, the City has 24 permitted massage establishments, with those operating prior to 2015 out of compliance with the 1000-foot distance separation. The zoning and 1000-foot distance requirement, however, has been effective in limiting the number of new massage establishments in the City.
- Staff has found that a cap on the number of massage establishments would not be necessary. The calls for service were complaint-driven with the majority of the locations being non-permitted. Violations could be cited, and the 30-day vacancy requirement also helped. Many requests are turned away. New businesses require background checks and employees are required to be licensed by the State.
- Unlicensed massage establishments may come in as chiropractors or skin care fronts for illegal prostitution.
- Should there be a cap on the number of establishments, the City would have to turn away businesses that meet code, which could include high-end hotels with spas or gyms. New businesses would only be allowed if the number of establishments were under the cap.
- Massage businesses constantly change hands, as shown by the re-establishment of the business permits each year.
- There are few random inspections as background checks and crime statistics are run each year, along with checking calls for service for complaints. The Police Department can conduct compliance checks with quick walk-throughs. One permit was denied last year due to criminal activity.
- In regard to massage establishment locations and aspects such as private rooms vs. open concept spaces, CAMTC has rules and regulations for the buildings, such as the hallways leading back to the rooms need to be open and for the locking and unlocking of doors. Typically, there were less complaints for the open-floor concept.
- Rather than limit the number of establishments, two Commissioners suggested a condition to allow a six-month probation period, prior to final approval, with random inspections, to show a new business was a good operator. Staff stated that a condition could be added, though recommended that random inspections during probation be done via an ordinance, as the Planning Commission had no authority over the massage permit outside of the land use code.
- Staff clarified that any new requirements in regard to a six-month probation period would require an adopted City Council policy for all massage conditional

use permits, though the requirements would not necessarily need to be included in Title 5. Staff then explained that existing establishments were already on a yearly probation and those that were not good operators could have their license revoked. In addition, a license could be revoked any time during the year prior to renewal of the permit, so in essence, a type of probation was already in place. The Planning Commission agreed that a limit on the number of massage establishments was not needed at this time.

Commissioners thanked staff for their diligent work during the Coronavirus outbreak and for the City's promotion of the 2020 Census, which has resulted in a good response rate.

MATTERS FROM STAFF: Staff gave a brief description of the agenda items for the May 7, 2020 Planning Commission meeting.

ADJOURNMENT: At 8:57 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, May 7, 2020, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

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Judith Moore, Recording Secretary

GARDEN GROVE PLANNING COMMISSION  
Council Chamber, Community Meeting Center  
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes  
Thursday, May 7, 2020

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair Lehman  
Vice Chair Ramirez  
Commissioner Le  
Commissioner Lindsay  
Commissioner Nguyen  
Commissioner Perez  
Commissioner Soeffner

Absent: None.

ORAL COMMUNICATIONS – PUBLIC – None.

April 16, 2020 MINUTES: To be available for consideration at the June 4, 2020 Planning Commission meeting.

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-182-2020 FOR PROPERTY LOCATED EAST OF EUCLID STREET, NORTH OF BIXLER CIRCLE, AT 11832 EUCLID STREET.

Applicant: WILLY KAZIMI OBO ATT WIRELESS  
Date: May 7, 2020

Request: Conditional Use Permit approval to allow the construction and operation of a sixty-foot (60') tall stealth wireless telecommunication facility disguised as a pine tree (mono-pine), with related ground-mounted equipment. The site is in the R-1 (Single-Family Residential) zone. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15303 – New Construction or Conversion of Small Structures.

Action: Resolution No. 5983-20 was approved. One letter of opposition was submitted by Keith and Rinske Colton in regard to health risks.

Motion: Ramirez Second: Nguyen

Ayes: (6) Le, Lehman, Lindsay, Nguyen, Ramirez, Soeffner  
Noes: (1) Perez

Vice Chair Perez recused herself at 7:28 p.m. due to a potential conflict of interest.

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-184-2020 FOR PROPERTY LOCATED ON SOUTHWEST CORNER OF WESTMINSTER AVENUE AND LAKE STREET AT 10602 WESTMINSTER AVENUE.

Applicant: DS LE INC.  
Date: May 7, 2020

Request: Conditional Use Permit approval to operate an existing service station, OC Gas, with a new original State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer & Wine) License. The site is in the C-1 (Neighborhood Commercial) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities – of the State CEQA Guidelines.

Action: Resolution No. 5984-20 was approved.

Motion: Lindsay Second: Nguyen

Ayes: (6) Le, Lehman, Lindsay, Nguyen, Ramirez, Soeffner  
Noes: (0) None  
Absent: (1) Perez

Vice Chair Perez rejoined the meeting at 7:35 p.m.

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-185-2020 FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF BROOKHURST STREET AND GARDEN GROVE BOULEVARD AT 10130 GARDEN GROVE BOULEVARD.

Applicant: TINA NGUYEN  
Date: May 7, 2020

Request: Conditional Use Permit approval to upgrade the current State Alcoholic Beverage Control (ABC) License from a Type "41" (Off-Sale, Beer and Wine – Eating Place) License to a Type "47" (On-Sale, General – Eating Place) License, for an existing restaurant, Oc & Lau. The site is in the GGMU-1 (Garden Grove Boulevard Mixed Use 1) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities – of the State CEQA Guidelines. Upon approval and exercise of the subject request, the Conditional Use permit previously

governing the tenant space, CUP-013-2014, shall be revoked and become null and void.

Action: Resolution No. 5985-20 was approved. The applicant was not present, however, staff received an email acknowledging agreement with the Conditions of Approval.

Motion: Le Second: Perez

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

PUBLIC HEARING – SITE PLAN NO. SP-083-2020 FOR PROPERTY LOCATED WEST OF ADELLE STREET, BETWEEN GARDEN GROVE BOULEVARD AND ACACIA AVENUE AT 12881 ADELLE STREET

Applicant: MARK TRAN  
Date: May 7, 2020

Request: Site Plan approval to demolish an existing duplex (two detached units) and an existing garage, to construct a new attached, three-story, four-unit (quadplex) apartment building. The site is in the GGMU-2 (Garden Grove Boulevard Mixed Use 2) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 – New Construction or Conversion of Small Structures.

Action: Resolution No. 5986-20 was approved. One letter of support was submitted by Sonja Trauss. Commission asked staff to meet with the applicant to review affordable housing requirements.

Motion: Lindsay Second: Le

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

PUBLIC HEARING – SITE PLAN NO. SP-084-2020 AND TENTATIVE PARCEL MAP NO. PM-2020-112 FOR PROPERTY LOCATED BETWEEN MACMURRAY AND MAGNOLIA STREETS, NORTH OF CHAPMAN AVENUE AT 11841 MAGNOLIA STREET.

Applicant: THAI VIEN NGUYEN & ANH M. THAI  
Date: May 7, 2020

Request: Site Plan approval to construct two (2) new single-family residences with each home to be 3,175 square feet, with 5 bedrooms, 5 baths, kitchen, living room, family room, dining room, and a 706 square foot three-car garage, along with a minor deviation for the maximum number of permitted bathrooms per bedroom. Also, a request for Tentative Parcel Map approval to subdivide the existing 15,552 square foot property into two (2) equal parcels of 7,776 square feet each. The site is in the R-1-7 (Single-Family Residential) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 – Minor Land Divisions.

Action: Resolution No. 5987-20 was approved. One letter of support was submitted by Sonja Trauss. One letter of concern was submitted by Elizabeth Nunez in regard to parking impacts.

Motion: Perez            Second: Lindsay

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-186-2020 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF ACACIA AVENUE BETWEEN NUTWOOD AVENUE AND JOY STREET AT 10527 GARDEN GROVE BOULEVARD.

Applicant: PHASE DIAGNOSTICS, INC.

Date: May 7, 2020

Request: Conditional Use Permit approval to operate a new “Industry, Standard” use, Phase Diagnostics, Inc., which specializes in research and development of novel sample preparation and diagnostic technologies and products, including the manufacturing and wholesales of life science research tools. The site is in the A-R (Adaptive Reuse) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities – of the State CEQA Guidelines.

Action: Resolution No. 5988-20 was approved. The applicant was not present, however, staff received an email acknowledging agreement with the Conditions of Approval.

Motion: Perez            Second: Nguyen

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

MATTERS FROM COMMISSIONERS: Commissioner Lindsay mentioned that single-family homes needed more than four bathrooms. Commissioner Nguyen agreed.

MATTERS FROM STAFF: Staff mentioned that the May 21<sup>st</sup> Planning Commission meeting would be cancelled and that the next meeting was June 4<sup>th</sup>.

ADJOURNMENT: At 8:23 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, June 4, 2020, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

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Judith Moore, Recording Secretary

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

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| <b>AGENDA ITEM NO.:</b><br>C.1.<br>18                              | <b>SITE LOCATION:</b> Southeast corner of the intersection of Western Avenue and Lampson Avenue, at 12552 Western Avenue |
| <b>HEARING DATE:</b> June 4, 2020                                  | <b>GENERAL PLAN:</b> Industrial/Residential Mixed Use 1  |
| <b>CASE NO.:</b> Conditional Use Permit No. CUP-339-11 (REV. 2020) | <b>ZONE:</b> M-P (Industrial Park)   |
| <b>APPLICANT:</b> The Map Sports Facility                          | <b>CEQA DETERMINATION:</b> Exempt  |
| <b>PROPERTY OWNER:</b> SDL Warner LLC (Attn: Tracey Barton)        | <b>APN:</b> 215-032-01   |

**REQUEST:**

A request to modify the approved plans and Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), for an existing indoor sports facility, MAP Sports Facility, located at 12552 Western Avenue (Assessor's Parcel No. 215-032-01), to expand the hours of operation allowing daytime weekday business hours and activities, and to expand the existing parking lot to provide additional parking spaces.

**DISCUSSION:**

At the April 16, 2020 Planning Commission meeting, and pursuant to a request submitted by the applicant, the Planning Commission continued Conditional Use Permit No. CUP-339-11 (REV. 2020) to the June 4, 2020 Planning Commission meeting, with the public hearing open, in order to allow additional time for the applicant to address certain issues that were raised from public comments received by the City of Garden Grove. For reference, the Planning Commission Staff Report dated April 16, 2020, has been attached.

Subsequently, and in response to those issues raised in public comments received by the City of Garden Grove, the applicant has prepared a Parking Management Plan ("PMP") to establish and implement mitigation measures to minimize potential on- and off-site impacts to surrounding properties. The PMP will be implemented during any high/peak demand periods, as necessary, and to ensure the operation does not cause a nuisance, hindrance, and/or problem with either on-site and/or off-site parking and/or circulation. Most notably, the PMP establishes a plan to implement the following measures:

- Implement an on-site two-lane vehicular queuing area, with parking attendant(s) directing drivers, for capacity of up to twenty (20) vehicles, to eliminate on-street vehicular queuing/stacking on Western Avenue;



- Relocate the portable parking fee collection kiosk, from its current location near the front of the southwesterly driveway approach, pushed further into the center of the property, to allow adequate vehicular queuing space to eliminate on-street vehicular queuing/stacking on Western Avenue;
- Create a designated drop-off zone with queuing capacity of approximately six (6) vehicles;
- Place parking attendant(s) and adequate signage, as necessary, at nearby sites to prevent patrons of the MAP Sports Facility, from unauthorized parking on off-site private lots; and
- Control vehicular access entering and exiting the site to ensure effective on-site vehicular circulation (i.e., preventing vehicular ingress from Lampson Avenue or from the northerly driveway approach off Western Avenue).

The Community and Economic Development Department, including the Traffic Engineering Division, have reviewed the Parking Management Plan submitted by the applicant and are supportive of the mitigation plan. Conditions of Approval have been incorporated into the Conditional Use Permit requiring implementation of the PMP. Out of abundance of caution, it should be noted, Condition No. 12 will continue to require that additional/new mitigation, as necessary, will be required, as part of a new or modified Parking Management Plan, subject to review and approval by the City, should any new issues arise in the future. All existing conditions of approval, as approved under CUP-339-11 (REV. 2014), along with any modified or new conditions of approval, as approved under CUP-339-11 (REV. 2020), will apply.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt the attached Resolution approving Conditional Use Permit No. CUP-339-11 (REV. 2020), subject to the recommended Revised Conditions of Approval.

*MPave for UM*

Lee Marino  
Planning Services Manager

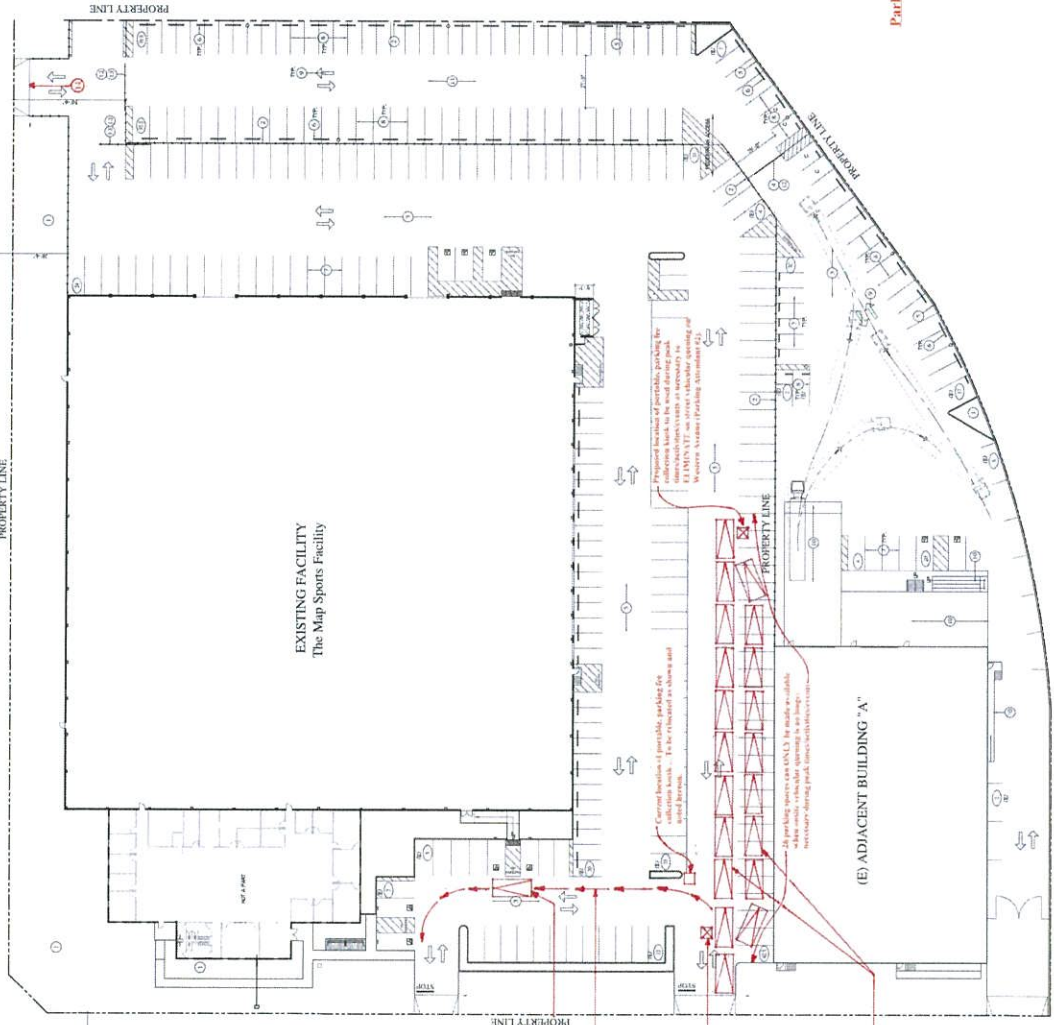


Chris Chung  
Urban Planner

- Attachment 1: Parking Management Plan Exhibit
- Attachment 2: Planning Commission Staff Report dated April 16, 2020 and Parking Demand Study
- Attachment 3: Planning Commission Continuance Staff Report dated April 16, 2020, Applicant Request for Continuance, and Public Comments Letters Received
- Attachment 4: Planning Commission Resolution No. 5982-20
- Attachment 5: Exhibit "A" Conditions of Approval
- Attachment 6: Applicant Response Letter dated May 22, 2020

LAMPSON AVENUE

PROPERTY LINE



**SEE PLAN SET NOTES.**

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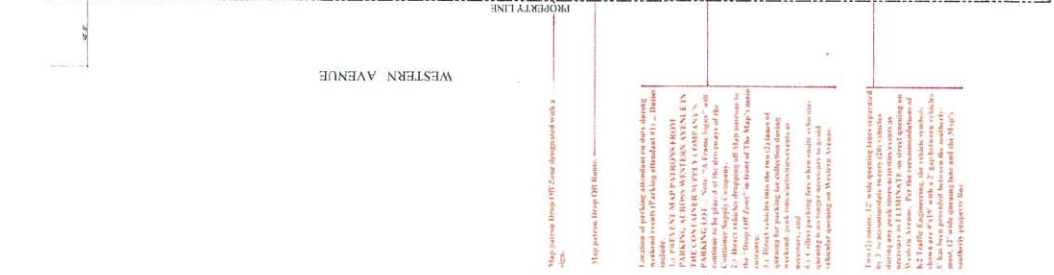
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**Parking Management Plan**  
 Dated: May 11, 2020  
 SCALE: 1" = 25'

WESTERN AVENUE

PROPERTY LINE



**ATTACHMENT 1**

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

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| <b>AGENDA ITEM NO.:</b><br>C.2.                                    | <b>SITE LOCATION:</b> Southeast corner of the intersection of Western Avenue and Lampson Avenue, at 12552 Western Avenue |
| <b>HEARING DATE:</b> April 16, 2020                                | <b>GENERAL PLAN:</b> Industrial/Residential Mixed Use 1  |
| <b>CASE NO.:</b> Conditional Use Permit No. CUP-339-11 (REV. 2020) | <b>ZONE:</b> M-P (Industrial Park)   |
| <b>APPLICANT:</b> The Map Sports Facility                          | <b>CEQA DETERMINATION:</b> Exempt  |
| <b>PROPERTY OWNER:</b> SDL Warner LLC (Attn: Tracey Barton)        | <b>APN:</b> 251-032-01   |

## **REQUEST:**

A request to modify the approved plans and Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), for an existing indoor sports facility, MAP Sports Facility, located at 12552 Western Avenue (Assessor's Parcel No. 215-032-01), to expand the hours of operation allowing daytime weekday business hours and activities and to expand the existing parking lot to provide additional parking spaces.

## **BACKGROUND:**

The subject site is an existing approximately six (6) acre site located on the southeast corner of the intersection of Western Avenue and Lampson Avenue. The subject site abuts industrial type uses in all directions. The zoning of the subject site is M-P (Industrial Park) and the Land Use Designation is Industrial/Residential Mixed Use 1. The property is currently divided into two areas, which are divided by a chain link fence. The approximately four (4) acre MAP Sports Facility ("MAP") site at the northwest corner of the property is improved with an existing 80,000 square foot warehouse building (12552 Western Avenue) that is utilized by MAP and currently in operation as an indoor sports facility. The remaining portion of the site, which wraps around the easterly and southerly part of the property, is improved with a parking lot area and a 20,001 square foot one-story industrial warehouse building, fronting Western Avenue, which is currently in operation as an apparel distribution warehouse by a separate operator.

In 2011, the City of Garden Grove approved Amendment No. A-162-11 and Conditional Use Permit No. CUP-339-11 to allow a Code Amendment to Title 9 of the City of Garden Grove Municipal Code to allow "indoor sports facility" uses in the M-P

(Industrial Park) zone subject to a Conditional Use Permit, and approved a Conditional Use Permit for the MAP Sports Facility (MAP) at 12552 Western Avenue (for operation within the 80,000 square foot warehouse building). According to business license records, the MAP Sports Facility has been in operation since 2012.

In 2014, the City of Garden Grove approved Conditional Use Permit No. CUP-339-11 (REV. 2014) to allow modifications to the approved plans and the Conditions of Approval under Conditional Use Permit No. CUP-339-11, to update the business operational conditions relating to, but not limited to, parking space requirements, building code compliance, and maximum building occupancy. The City concurrently approved Amendment No. A-009-2014, amending Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit. Amendment No. A-009-2014 was processed by the City of Garden Grove in coordination with the proposed modifications to the Conditions of Approval for MAP (under Conditional Use Permit No. CUP-339-11 (REV. 2014)), which implicitly authorized MAP to charge its patrons for parking. Notably, the approval of CUP-339-11 (REV. 2014) accomplished the following items including, but not limited to: (i) completion of various building improvements to increase the maximum occupancy (the maximum number of persons allowed in the building) per the California Building Standards Code from 294 occupants to a new maximum of 516 occupants; (ii) in order to accommodate the increase in maximum occupancy for the building, re-striping of the existing parking lot to increase the number of parking spaces available on-site from 170 parking spaces to 191 parking spaces (increase of 21 parking spaces); (iii) to further support the accommodation of the increased maximum occupancy for the building, establishing and implementing a carpool incentive program, the "Green MAP Plan", which allows up to forty-five (45) vehicles carpooling with four (4) or more occupants per vehicle to park on-site for free; and (iv) interior tenant improvements to add a snack and merchandise shop within the indoor sports facility.

### **DISCUSSION:**

The MAP Sports Facility ("MAP") is an indoor sports facility where the primary sports played are basketball and volleyball. Condition No. 8 of the Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), currently restrict hours of operation for the facility to be from 5:00 p.m. to 10:00 p.m., Monday through Friday, and 8:00 a.m. to 10:00 p.m., Saturday and Sunday. The applicant is requesting to modify the Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), to expand the hours of operation allowing daytime weekday business hours and activities. The proposed hours of operation will be from 8:00 a.m. to 11:00 p.m., seven (7) days a week, and Condition No. 8 would be modified to reflect this change. It should be noted, Staff did not express concerns with the 1-hour extension to the current closing time from 10:00 p.m. to 11:00 p.m. for weekdays and weekend days. Extending the closing time from 10:00 p.m. to 11:00 p.m. did not impact the projected parking demand or pose potential on- or off-site parking impacts. Most businesses in the nearby industrially zoned areas are closed by 5:00 p.m., during the weekdays, and closed on the

weekend. Currently, weekday nighttime activities, during the permitted hours of operation between 5:00 p.m. to 10:00 p.m., typically include organized instruction, practices, and league play relating to volleyball and basketball sports. Proposed weekday daytime activities will include youth summer camps, senior pickleball league, and typical school-aged team scrimmages, organized instruction, and practices. The applicant submitted a parking demand study produced and conducted by K2 Traffic Engineering, Inc. ("K2"), a professional firm with California licensed traffic engineers who provide traffic engineering and civil engineering design and consulting services. The K2 parking demand study was prepared in order to address projected parking demand and any potential impacts from the new weekday daytime hours of operation and activities. The following discussion will highlight and address the two (2) new weekday daytime activities of youth summer camps and senior pickleball league.

### Youth Summer Camps

MAP intends to host youth summer camps of basketball and volleyball sports with up to a maximum of 300 participants between 6 and 18 years of age. The specific activities in summer camps include organized instruction, drills, practices, and scrimmages. Typical summer camp schedules will occur Monday through Friday, beginning at 9:00 a.m. and ending at 4:00 p.m. The next typical scheduled activities will begin at 4:30 p.m. (30-40 minutes after any youth summer camps end prior), which will include organized instruction, drills, practices, scrimmages, and league play.

It should be noted, the typical activities of a youth summer camp, during weekday daytime hours, will be similar to the current weekday nighttime activities that occur today (i.e., organized instruction, drills, practices, and scrimmages). The difference being that current weekday nighttime activities are comprised of various smaller groups, while a youth summer camp is comprised of a larger, single group of participants (not to exceed 300 participants).

On February 28, 2019, the MAP held a "trial session" youth summer camp which took place between 9:00 a.m. and 4:00 p.m. The intent of this trial session was to allow K2 to record observations and measure the anticipated parking demand for a typical summer camp. The "trial session" youth summer camp included 195 participants. Parents dropped off their campers at 9:00 a.m. and later picked them up at 3:30 p.m. Approximately 15% of the participants carpooled to the facility. The number of parked vehicles were noted at thirty (30) minute intervals between 8:00 a.m. to 5:00 p.m. During this trial session, a maximum of 55 parking spaces were in use. Based on these observations, K2 projected that a youth summer camp with 300 participants would require the availability of 80 parking spaces. The subject site currently provides 191 parking spaces. Therefore, during a youth summer camp at full capacity of 300 participants, it is projected that there would be a surplus of at least 111 parking spaces available on-site (additional parking spaces would be available should a given youth summer camp include less than 300 participants).

### Pickleball League

Pickleball is a paddelball sport which combines elements of tennis, badminton, and table tennis (ping-pong). A pickleball game may include up to two to four players maximum – in a single or doubles style of play (1 versus 1 or 2 versus 2). The dimensions of a pickleball court are slightly smaller than the dimensions of a volleyball court. The MAP Sports Facility has spacing for eight (8) basketball/volleyball courts. It is anticipated that there will be a maximum of eight (8) pickleball courts at any one time. The MAP plans to introduce adult pickleball league play to take place during off-peak weekday daytime hours between the hours of 9:00 a.m. to 4:00 p.m. Because the participants of pickleball league play will primarily be comprised of adults, it is anticipated that each participant will drive their own vehicle to the MAP. With eight (8) pickleball courts, and with an assumption that all courts will include doubles play (4 players per game), this would amount to approximately 32 players at any one time. Thus, the expected maximum parking demand for pickleball league play is 32 parking spaces.

In the event that a youth summer camp (of 300 participants) ran concurrently with pickleball league play (of 32 participants), both in maximum participant scenarios, out of an abundance of caution, the projected combined parking demand is 112 parking spaces (80 + 32 parking spaces). It should, however, be noted that if a youth summer camp and pickleball league did run concurrently, both activities would not be able to utilize all eight (8) courts at the same time. It is reasonable to assume that the court areas would be shared between the two (2) activities, thus resulting in a smaller youth camp (less than 300 participants) and/or the use of less pickleball courts (less than 8 courts resulting in less than 32 pickleball participants). Therefore, the actual parking demand may be substantially less than 112 parking spaces. Nevertheless, based on a maximum scenario of 112 parking spaces required, the existing 191 parking spaces available on-site would be more than adequate to accommodate this projected parking demand.

### "Green MAP Plan" Carpool Incentive Program

As mentioned prior, the approval of Amendment No. A-009-2014 and CUP-339-11 (REV. 2014) implicitly authorized the MAP to charge its patrons for parking. The MAP imposes a parking fee during high demand periods such as Friday evenings, weekends, and holidays.

Condition No. 11, under CUP-339-11 (REV. 2014), currently states:

*"The applicant/property owner shall maintain a minimum of 191 parking spaces on the site, per the submitted site plan for CUP-339-11 (REV. 2014), that are available to participants at the indoor sports facility. In addition, the applicant shall implement a carpool incentive plan, (the "Green Map Plan") which will allow at least forty-five (45) vehicles carpooling with four (4) or more occupants per vehicle to park on-site for free. The carpool incentive plan is meant to encourage patrons to carpool to the indoor sports facility. The carpool incentive plan shall be in effect and implemented at all times."*

Since the approval of CUP-339-11 (REV. 2014), the MAP has implemented the carpool incentive program. On a typical weekend, K2 observed that as many as 40 of the 45 available carpool spaces were utilized, representing an 89% utilization. The site currently provides 191 parking spaces, which include 45 spaces allocated for carpool parking as part of the MAP's carpool incentive program. The MAP proposes to expand its free carpool incentive program by adding 20 carpool spaces for a new total of 65 carpool spaces, as part of the "Green MAP Plan". It should be noted, the MAP does not charge for parking during off-peak periods. Should CUP-339-11 (REV. 2020) be approved, the MAP will also not charge for parking during weekday daytime hours, and Conditions of Approval will require as such.

### On-Street Parking

Similar to most indoor sports facilities that charge a parking fee during peak periods, some attendants choose to park off-site. K2 evaluated the use and availability of public parking spaces on nearby public streets. In the project vicinity, public parking is conveniently available on Western Avenue and Anaconda Avenue. It is estimated that approximately 135 on-street public parking spaces are available on these nearby streets. On a weekend day, K2 observed as many as 102 cars parked on the street at peak. During the same period, only 41 pedestrians were observed walking to the MAP Sports Facility, indicating that not all cars parked on the nearby public streets were patrons of the MAP. K2 determined that there was no apparent correlation between the number of walk-in patrons and the number of vehicles parked on nearby public streets. Generally, on-street parking in the surrounding industrial areas is abundantly available, especially on Friday evenings, weekends, and holidays (peak periods for the MAP).

### Parking

Between 2014 to late 2019 (since the approval of CUP-339-11 (REV. 2014)), there had been no reported Code Enforcement cases or complaints received relating to on-site or off-site parking or circulation issues. However, in December of 2019, the Code Enforcement Division received a complaint that patrons of the MAP were accessing parking lots on nearby properties for drop-off and parking purposes.

While the current number of available parking spaces on-site (191 parking spaces) is considered adequate, per the MAP's current Conditional Use Permit (CUP-339-11 (REV. 2014)), in order to address any current and future potential parking issues, and as mentioned prior, the applicant is proposing to expand its carpool incentive program by increasing the number of carpool parking spaces from 45 to 65, to further promote carpooling and reduce parking demand. In addition, the applicant is also proposing to introduce and utilize an overflow parking area, which is currently an existing parking lot area on the eastern portion of the property separated by a fence and sliding gates. When the main parking lot of 191 parking spaces reaches 70% capacity (134 parking spaces), the MAP will provide open access and use of this overflow lot, which provides an additional 78 parking spaces. The vehicular access gates to this lot will be fitted with a Knox box for additional emergency access for the Orange County Fire Authority. Upon project completion,

the MAP Sports Facility will provide 269 parking spaces, which is comprised of seven (7) ADA handicap accessible spaces, 184 standard spaces, and 78 overflow spaces. Again, a total of 65 spaces will be made available for carpool use under the "Green MAP Plan". Under the original approval of Conditional Use Permit No. CUP-339-11, it was determined that a minimum of 156 parking spaces are required for the MAP, which is a parking rate of 2.43 parking spaces per 1,000 square feet. The new proposed total of 269 parking spaces would represent a surplus of 113 parking spaces. Staff finds that the additional overflow parking lot, along with the expanded carpool incentive program, will mitigate any potential on- and off-site parking issues.

As a result of this request, Condition No. 11 would be modified, in part, as follows (New text in ***bold-italics*** and deleted text in strike-through):

"The applicant/property owner shall maintain a minimum of ~~191~~ **269** parking spaces on the site (***184 standard parking spaces, 7 ADA accessible parking spaces, and 78 overflow parking spaces***), per the submitted site plan for CUP-339-11 (REV. ~~2014~~ **2020**), that are available to participants at the indoor sports facility. In addition, the applicant shall implement a carpool incentive plan, (the "Green Map Plan") which will allow at least ~~forty-five~~ **sixty-five** (~~45~~) (**65**) vehicles carpooling with four (4) or more occupants per vehicle to park on-site for free. The carpool incentive plan is meant to encourage patrons to carpool to the indoor sports facility. The carpool incentive plan shall be in effect and implemented at all times. ***If at any time the primary parking area (of 191 parking spaces) reaches 70 percent utilization, the overflow parking area (of 78 parking spaces) shall be made available to patrons of the indoor sports facility.***"

As a precaution, and to address any potential on- or off-site parking issues that may arise in the future, the remainder of Condition of Approval No. 11 will continue to be maintained, which, in part, states the following:

"Due to the nature of the operation of an indoor sports facility with variables in user demand there is the possibility that parking issues may arise. In the event, the site cannot accommodate the parking demand at any given time which causes a nuisance, hindrance, and/or problem with both on-site and off-site parking and circulation, the business owner/property owner shall devise and implement a plan to relieve the situation. On-site circulation problems refer to parking along designated "red-curb" area, blocking fire lanes, blocking regular drive aisles/double-parking and reducing or blocking entrances or exits.

The business owner/property owner shall submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but not be limited to: reducing the hours of operation, limiting the number of courts in use at one time, limiting the number of attendees per tournament or other special



event, instituting an off-site parking arrangement; having on-site parking control personnel; and/or other actions that may be deemed applicable to the situation.

If the City's Community and Economic Development Director deems such action is necessary to address parking and circulation problems, such action shall be implemented within 30 days of written notice. Failure to take appropriate action shall be deemed a violation of these Conditions of Approval and may result in the City restricting the overall use of the facility."

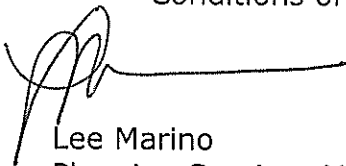
The proposed modifications to the parking lot areas will now delineate a dedicated/separate area, surrounded by fencing and a vehicular access gate, for the existing 20,001 square foot industrial building, located on the southwest corner of the property, which is a separate operator/business unrelated to the MAP Sports Facility. Based on Municipal Code parking requirements, a minimum of 40 parking spaces are required for the 20,001 square foot industrial building. In the dedicated parking area for this building, a total of 40 parking spaces will be provided. The applicant has demonstrated on its submitted plans that adequate parking and truck maneuvering space, for vehicular access to the existing loading areas at the rear of the building, will be maintained.

The Community and Economic Development Department has reviewed the request and is supporting the proposal. All existing conditions of approval, as approved under CUP-339-11 (REV. 2014), along with any modified or new conditions of approval, as approved under CUP-339-11 (REV. 2020) will apply.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt the attached Resolution approving Conditional Use Permit No. CUP-339-11 (REV. 2020), subject to the recommended Revised Conditions of Approval.



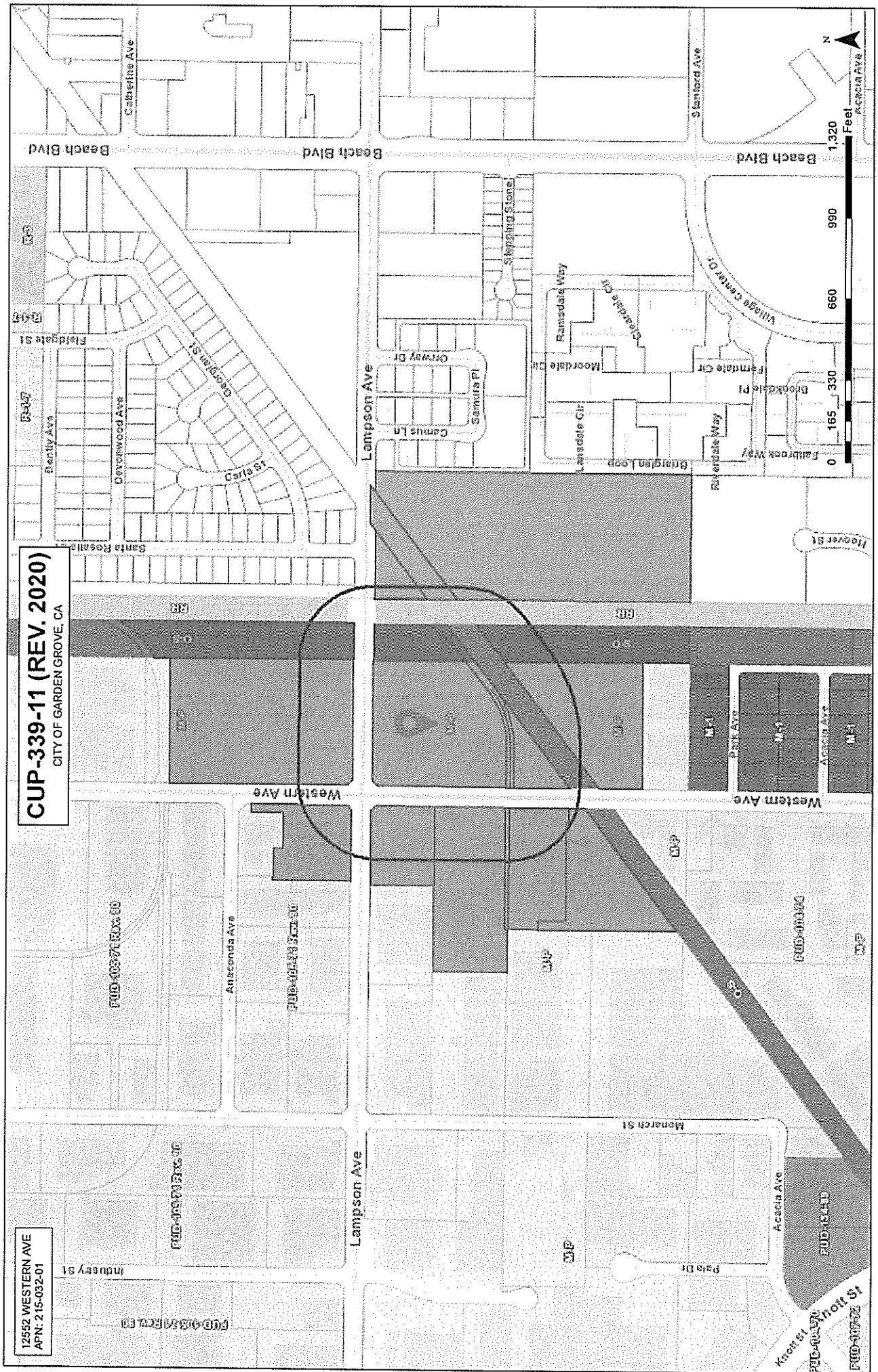
Lee Marino  
Planning Services Manager



Chris Chung  
Urban Planner

12552 WESTERN AVE  
APN: 215-032-01

**CUP-339-11 (REV. 2020)**  
CITY OF GARDEN GROVE, CA





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**The MAP Sports Facility**  
 12441 WESTERN AVENUE, SUITE 100  
 WESTLAKE VILLAGE, CA 91361  
 (818) 708-1000  
 WWW.THEMAPSPORTSFACILITY.COM

12441 WESTERN AVENUE  
 WESTLAKE VILLAGE, CA 91361

**The MAP Sports Facility**  
 Specializing in All Indoor Sports

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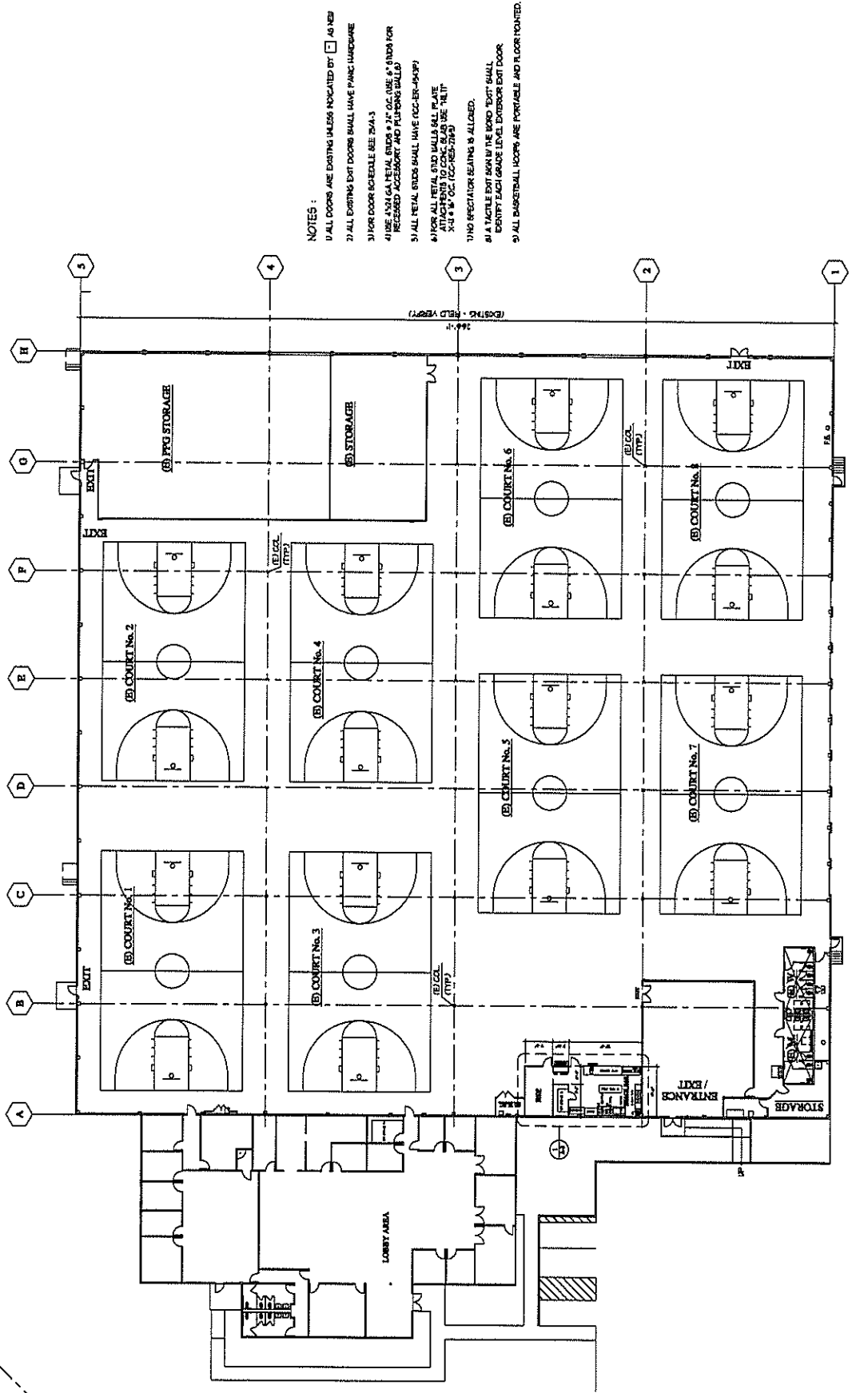
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- NOTES :**
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  - 2) ALL EXISTING EXIT DOORS SHALL HAVE PANG LANGUAGES
  - 3) FOR DOOR SCHEDULE SEE SNA-3
  - 4) USE 48" X 24" METAL BEAMS AND 2" X 6" JOIST FOR RECESSED ACCESSORY AND PLUMBING RIGS
  - 5) ALL METAL BEAMS SHALL HAVE OCC-ER-INSIP
  - 6) FOR ALL METAL STUD WALLS SHALL HAVE ATTACHMENTS TO CONC. SLAB AS PER 14.17 AND 14.18 OCC-ER-INSIP
  - 7) NO SPECTATOR SEATING IS ALLOWED.
  - 8) ALL TABLE EXIT SIGN IN THE HALLWAY SHALL IDENTIFY EACH GRADE LEVEL EXTERIOR EXIT DOOR
  - 9) ALL BASKETBALL FLOORS ARE PORTABLE AND FLOOR POINTED.



**FLOOR PLAN LAYOUT**  
 1/4" = 1'-0"



**K2 TRAFFIC ENGINEERING, Inc.**  
Traffic Control . Signal . Synchronization . Parking . Study

September 9, 2019

Marty Walker  
The MAP Sports Facility  
12552 Western Avenue  
Garden Grove, CA 92841

Re: **Parking Demand Study**  
**The MAP Sports Facility**  
**12552 Western Ave, Garden Grove**

Dear Marty,

Per your request, we have conducted a parking study for the MAP Sports Facility in Garden Grove. This letter presents our methodology, finding, and recommendation in regards to the parking conditions.

#### **PROPOSED CHANGES**

The MAP Sports Facility is an existing indoor sports facility of 75,000 square feet located at 12552 Western Avenue in the City of Garden Grove. Primary sports at the facility includes, but not limited to, basketball and volleyball.

The MAP Sports Facility is seeking an amendment to the conditional use permit to expand the hours of operation to allow weekday daytime uses. Weekday daytime activities will include youth summer camps, senior pickleball leagues, school-age team scrimmages, organized instructions and practices. Current hours of operation per approved Conditional Use Permit No. 339-11 (REV.2014) are 5 PM to 10 PM Monday through Friday, and 8 AM to 10 PM Saturday and Sunday. Proposed hours of operation are **Daily from 8 AM to 11 PM**. On-site parking is free for ALL proposed daytime activities on weekdays.

The facility plans to host youth summer camps of basketball and volleyball with up to 300 participants between 6 and 18 years of age. The specific activities in summer camps include organized instructions, drills, practices and scrimmages. Summer

---

***K2 Traffic Engineering, Inc.***

1442 Irvine Blvd, Suite 210, Tustin, CA 92780 T.714-832-2116 F.949-266-5875 Email: khsu@k2traffic.com

camp will be scheduled to start at least 15 minutes after 9 AM and finish at least 15 minutes before 4 PM.

In order to measure the anticipated parking demand for summer camp, the study conducted a “trial session” on Thursday, February 28, 2019. The results were reported by K2 Traffic Engineering in a Parking Demand Study dated July 8, 2019. Parents dropped off their campers around 9 AM and picked them up around 3:30 PM, and approximately 15% of the participants carpooled to the facility. During the “trial session”, 55 parking spaces were used by the attendance of 195 campers. Accordingly, The Map anticipates 80 parking spaces are required for a maximum of 300 summer campers.

The typical summer camp schedule is shown in **Table 1**. Additional details of the schedule prepared by The MAP Sports Facility can be found in **Appendix "A"**. The proposed changes do not affect operations and parking demand on weekends.

**Table 1. Typical Summer Schedule**

| Day of Week             | Daytime Uses<br>9 am - 4 pm    | Late Afternoon Uses<br>4:30 pm - 10:30 pm |
|-------------------------|--------------------------------|---|
| Monday thru<br>Thursday | Summer Camp<br>(up to 300 ppl) | League/Scrimmage/Practice (up to 160 ppl) |
| Friday                  |                                | League Play after 6 pm                    |
| Saturday & Sunday       | League Play (up to 500 ppl)    |   |

The MAP has a long-term plan to introduce senior and adult pickleball leagues to take advantage of the off-peak usage on weekday daytime. If pickleball leagues become a reality, this activity schedule will start after 9 AM and finish before 4 PM for this year-round sports.

**CURRENT PARKING LOT**

The site currently provides 191 on-site parking spaces, including 45 spaces allocated for carpool parking. In accordance with the approved conditional use

permit, on-site parking is provided for free on weekdays and with a parking fee during high demand periods such as Friday evenings, weekends, and holidays. However, the allocated carpool parking is always free anytime any day. Our observations found that as many as 40 of 45 available carpool spaces are utilized each day on a typical weekend.

The combination of parking fees during high demand and the carpool incentive has contributed to reducing parking demand and encouraging carpooling. As part of the CUP Amendment, The MAP proposes to expand the free carpool program by adding 20 carpool spaces. A total of 65 spaces will be allocated for carpool use free of charge at anytime any day.

### **OVERFLOW PARKING**

As shown in **Exhibit 1**, the project will introduce an overflow parking area on the east side of the lot separated by chain link fence and sliding gates. The gate connecting the parking lot will be opened to provide 78 additional spaces when the entire parking lot of 191 spaces is approximately 70% full. Each access gate will be equipped with a Knox box for emergency access as requested by the Garden Grove Fire Department .

Upon project completion, The MAP Sports Facility will provide 267 total parking spaces, including 7 accessible spaces, 182 standard spaces, and 78 overflow parking spaces. A total of 65 spaces will be allocated for carpool use.

### **THE INDUSTRIAL BUILDING**

The industrial building operated by NILS, Inc. for ski/snowboard apparel distribution is located at the south side of the lot. As shown in **Exhibit 1** and labeled "Adjacent Building A", this building has a separate access through an existing driveway on Western Avenue. The building has 20,007 square feet gross floor area with 40 parking spaces provided exclusively for NILS' use. As shown in **Table 2**,

the NILS industrial building is fully compliant with the City of Garden Grove parking codes, and independent from The MAP Sports Facility.

**Table 2. Parking Requirement for NILS**

| Industrial Use<br>Adjacent Building A                      | Municipal Code<br>Parking Requirement                 | GFA               | Parking<br>Required | Parking<br>Provided |
|--|---|-------------------|---------------------|---------------------|
| Buildings 20,001 to 100,000<br>sq. ft. of gross floor area | 2 spaces per 1,000 square<br>feet of gross floor area | 20,007<br>Sq. Ft. | 40 Spaces           | 40 Spaces           |

### SITE OBSERVATIONS

To better understanding the potential parking demand on weekdays, the subject facility has allowed private daytime sessions for team practices and scrimmages. Parking observations were conducted at the facility on a typical weekday with practice and scrimmage sessions (Thursday, February 28, 2019). The number of parked vehicles were noted at each 30-minute interval between 8 a.m. and 5 p.m. A maximum of 55 out of the existing 191 parking spaces were used at 4 p.m. Complete data are shown in **Exhibit 2**.

The study also conducted a pedestrian count from 8:30 to 11:30am on Saturday, June 22, 2019 to observe off-site parking and walk-in patrons. The pedestrian count data can be found in **Exhibit 3**. The survey noted 105 pedestrians approaching from Western Avenue and Lampson Avenue to the MAP Sports Facility. Higher concentration of pedestrians were noted between 8:30 am and 9:00 am, and between 10:30 am and 11:00 am. It is estimated that 46 vehicles may have parked off-site within the survey period, assuming the average carpool ratio of 2.3 people per vehicle as found in a previous study of The MAP Sports Facility. As patrons may leave after finishing the early games, the number of parked vehicles at any time should be less than the totals shown.

### ON-STREET PARKING

Similar to most indoor sports facilities that charges a parking fee during peak periods, some attendances would choose to park elsewhere for various reasons. On-



street parking is allowed for a total length of 760 feet (estimated 38 spaces) on Western Avenue between Lampson Avenue and Chapman Avenue, and 1,940 feet (estimated 97 spaces) on Anaconda Avenue, a total of 135 on-street parking spaces, all within the Industrial Park Zone. No other on-street parking areas were noted for patron use of The Map Sports Facility.

On-street parking were observed in the project vicinity, namely Western Avenue and Anaconda Avenue, as shown in **Exhibit 4**. The study found that as much as 102 cars parked on the street at the peak. During the same period, however, only 41 pedestrians walked to the subject site, indicating not all cars who parked on streets are project related. There is no apparent correlation between the number of walk-in patrons and the number vehicles parked on the street.

For the duration of observation, the overall attendance at The MAP Sports Facility was 480 and 105 pedestrian were noted, a likely indication of approximately 21% of all attendance have parked on the street and walked to the facility. Generally, on-street parking in the industrial area is abundantly available, especially on Friday evening, weekends, and holiday.

## **PARKING MANAGEMENT PLAN**

The facility plans to maintain and enforce a Parking Management Plan that includes, but not limited to, the following elements:

1. The carpool incentive, named "Green Map Plan", will be expanded to allocate a total of sixty-five (65) spaces for free carpool parking with four or more occupants at anytime any day. The carpool incentive plan is intended to promote carpooling and reduce parking demand both on and off the site. The carpool incentive will continue to be posted at the building and distributed to all team captains during sign-up.

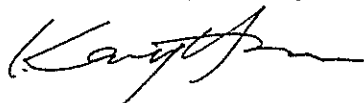
2. The main parking lot and overflow parking will be accessed through the main entrance at Western Avenue. The gate at Lampson Avenue will normally be closed.
3. Knox Boxes will be installed on all gates to allow emergency access by the Garden Grove Fire Department.
4. The overflow parking area will be open during high demand periods when the parking lot of 191 spaces is approximately 70% full. The parking supervisor will oversee parking operations and place appropriate signage for directions to the overflow parking area.
5. Bicycle racks will continue to provide convenient and safe storage of bicycles at the premise.

## SUMMARY

The project is expected to improve the off-peak utilization at the premise during weekday daytime hours. The project further increases the number of free carpool spaces and provides an overflow parking area to enhance the parking redundancy that would benefit all facility users, especially during high demand periods.

Regards,

*K2 Traffic Engineering, Inc.*



Jende Kay Hsu, T.E.  
California Licensed TR2285



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**K2 Traffic Engineering, Inc.**



**EXHIBIT 2. PARKING SURVEY**

The MAP Sports Facility  
 12552 Western Ave, Garden Grove

Date 2/28/2019  
 Day Thursday  
 By J.C.

| <i>Time</i>    | <i>Onsite Parking</i> | <i>Time Period</i>  | <i>Drop-off/<br/>Pick-up</i> |
|----------------|-----------------------|---------------------|------------------------------|
| PARKING SPACES | 191                   |                     |                              |
| 8:00 AM        | 2                     | 8:00 AM - 8:30 AM   | 0                            |
| 8:30 AM        | 5                     | 8:30 AM - 9:00 AM   | 0                            |
| 9:00 AM        | 11                    | 9:00 AM - 9:30 AM   | 1                            |
| 9:30 AM        | 15                    | 9:30 AM - 10:00 AM  | 0                            |
| 10:00 AM       | 25                    | 10:00 AM - 10:30 AM | 1                            |
| 10:30 AM       | 30                    | 10:30 AM - 11:00 AM | 0                            |
| 11:00 AM       | 30                    | 11:00 AM - 11:30 AM | 0                            |
| 11:30 AM       | 23                    | 11:30 AM - 12:00 PM | 1                            |
| 12:00 PM       | 24                    | 12:00 PM - 12:30 PM | 0                            |
| 12:30 PM       | 16                    | 12:30 PM - 1:00 PM  | 0                            |
| 1:00 PM        | 11                    | 1:00 PM - 1:30 PM   | 0                            |
| 1:30 PM        | 12                    | 1:30 PM - 2:00 PM   | 0                            |
| 2:00 PM        | 14                    | 2:00 PM - 2:30 PM   | 0                            |
| 2:30 PM        | 14                    | 2:30 PM - 3:00 PM   | 0                            |
| 3:00 PM        | 18                    | 3:00 PM - 3:30 PM   | 1                            |
| 3:30 PM        | 35                    | 3:30 PM - 4:00 PM   | 4                            |
| 4:00 PM        | 55 *                  | 4:00 PM - 4:30 PM   | 2                            |
| 4:30 PM        | 41                    | 4:30 PM - 5:00 PM   | 2                            |
| 5:00 PM        | 46                    |                     |                              |

\* Peak parking occurred at 4:00 pm when 55 parking spaces are used.

**EXHIBIT 3. PEDESTRIAN COUNT**

At the intersection of Western Ave and Lampson Ave

Date 6/22/2019  
Day Saturday  
By Jill L.

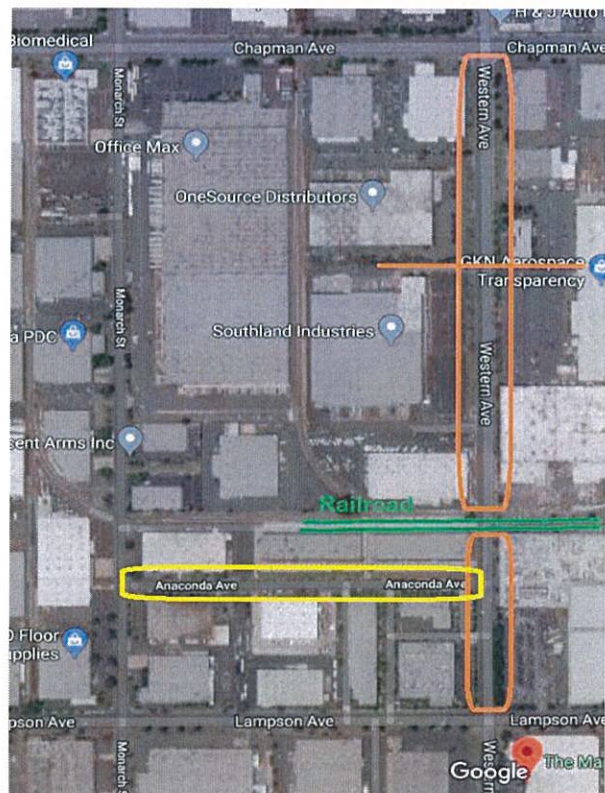
| <b>Pedestrian Count to the MAP</b> | Western Ave         | Lampson Ave   |       |
|------------------------------------|---------------------|---------------|-------|
| Survey Period                      | North Approach      | West Approach | TOTAL |
| 8:30 AM - 9:00 AM                  | 11                  | 12            | 23    |
| 9:00 AM - 9:30 AM                  | 7                   | 2             | 9     |
| 9:30 AM - 10:00 AM                 | 4                   | 5             | 9     |
| 10:00 AM - 10:30 AM                | 7                   | 4             | 11    |
| 10:30 AM - 11:00 AM                | 33                  | 8             | 41    |
| 11:00 AM - 11:30 AM                | 12                  | 0             | 12    |
| Pedestrian for Each Approach       | 74                  | 31            | 105   |
| Assumed Carpool Ratio              | 2.3 ppl per vehicle |               |       |
| Estimated Off-Site Parking         | 32                  | 14            | 46    |

**EXHIBIT 4. ON-STREET PARKING COUNT**

Western Ave between Chapman Ave and Lampson Ave

Date 6/22/2019  
 Day Saturday  
 By Kevin L.

| Time               | Western Ave (North) | Western Ave (Middle) | Western Ave (South) | Anaconda Ave | Total      |
|--------------------|---------------------|----------------------|---------------------|--------------|------------|
| Estimated Capacity | 8                   | 14                   | 16                  | 97           | 135        |
| 8:30 AM            | 0                   | 12                   | 14                  | 70           | 96         |
| 9:00 AM            | 0                   | 9                    | 14                  | 72           | 95         |
| 9:30 AM            | 0                   | 10                   | 14                  | 71           | 95         |
| 10:00 AM           | 0                   | 12                   | 14                  | 73           | 99         |
| 10:30 AM           | 1                   | 12                   | 14                  | 75           | <b>102</b> |
| 11:00 AM           | 0                   | 11                   | 15                  | 69           | 95         |
| 11:30 AM           | 0                   | 9                    | 10                  | 65           | 84         |



**APPENDIX "A".  
TYPICAL SUMMER SCHEDULE**



**Yellow Grid- Daily Bball Court Rentals/20.5 hrs total**

**Blue Grid- Camp hours/ 7 hrs = 56 hrs total**

**Purple Grid- League Hours/8.25 total hrs**

9AM to 4PM: 300 people/ CAMP

5 to 6: 100 to 120 per/ 6 to 7: 120 to 140/ 7 to 8:

130 to 160/ 8 to 9: 130 to 160/ 9 to 10: 60 to 80.

EZLeagues Check-in Time Clock P.O.S. Lockers Equipment Attendance Schedule Clients Groups Reports Administration

Tuesday, July 16, 2019

0 waitlists 0 bookable

Sync to Calendar

Tuesday, 7/16/2019

Color Legend

| Courts       | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|--------------|---|---|----|----|----|---|---|---|---|---|---|---|---|---|----|
| Leverage     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Alley-Oop    |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| MAP Champ    |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Hawk Hoops   |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Mountain Dew |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Gatorade     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Pepsi        |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Aquafina     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |

LA Laker Camp - Jon Olivero  
 LA Laker Camp - Jon Olivero  
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 LA Laker Camp - Jon Olivero  
 OAlley Oop 360 - Bry  
 ORichard Brown - Richard Brown  
 OHoops Unlimited - Marty Walker  
 OJr Hoops - Richard  
 OKaba Hoops - Glenn  
 OKaba Hoops - Glenn Gonzales  
 OCandy Crushers - Bobby Ni  
 OKelvin Lam - Kelvin Lam  
 ODon Lang - Don Lang

Yellow Grid- Daily Bball Court Rentals/16.5 total hrs

Blue Grid- Camp hours/7 hrs = 56 hrs total

Purple Grid- League Hours/5.75 total hrs

9PM to 4PM: 300 people/ Camp  
 5 to 6: 10 to 20/ 6 to 7: 80 to 100/ 7 to 8: 120 to 140/ 8 to 9: 100 to 120/ 9 to 10: 60 to 80





### The Map Sports

EZLeagues Check-in Time Clock P.O.S. Lockers Equipment Attendance Schedule Clients Groups Reports Administration

0 waitlists 0 bookable Sync to Calendar

Wednesday, July 17, 2019

Color Legend

| Courts       | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|--------------|---|---|----|----|----|---|---|---|---|---|---|---|---|---|----|----|
| Leverage     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |    |
| Alley-Oop    |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |    |
| MAP Champ    |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |    |
| Hawk Hoops   |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |    |
| Mountain Dew |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |    |
| Gatorade     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |    |
| Pepsi        |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |    |
| Aquafina     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |    |

LA Laker Camp - Jon Olivero  
 LA Laker Camp - Jon Olivero  
 LA Laker Camp - Jon Olivero  
 LA Laker Camp - Jon Olivero  
 LA Laker Camp - Jon Olivero  
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 LA Laker Camp - Jon Olivero  
 LA Laker Camp - Jon Olivero  
 LA Laker Camp - Jon Olivero

Richard Brown - Richard Brown  
 Hoops Unlimited - Marty Walker  
 Hoops Unlimited - Marty Walker  
 Hawk Hoops - Juaquin Hawkins  
 OC Pride - Mike Moore  
 Hawk Hoops - Juaq Hoops Unlimited - Marty Walker  
 Richard Brown - Richard Brown  
 Hawk Hoops - Juaq Keaba Hoops - Glenn Gonzal  
 Hung Nguyen - Hung

Yellow Grid- Daily Bball Court Rentals/25.25 hrs total

Blue Grid- Camp hours/7 hrs = 56 hrs total



9PM to 4PM: 300 people/ Camp  
 4to5: 20/ 5to6: 80 to 90/ 6to7: 130 to 150/  
 7to8: 140 to 160/ 8to9:140 to 160/ 9to10:120  
 to 140/ 10to11: 80 to 90.



### The Map Sports

EZLeagues Check-in Time Clock P.O.S. Lockers Equipment Attendance Schedule Clients Groups Reports Administration

**Thursday, July 18, 2019**    0 wantlists, 0 bookable    Sync to Calendar    Delete Mode Off    NERT DAY    TODAY    PREVIOUS DAY    Thursday, 7/18/2019    Thursday, 7/18/2019    Color Legen

| Courts       | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|--------------|---|---|----|----|----|---|---|---|---|---|---|---|---|---|----|
| Leverage     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Alley-Oop    |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| MAP Champ    |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Hawk Hoops   |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Mountain Dew |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Gatorade     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Pepsi        |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |
| Aquafina     |   |   |    |    |    |   |   |   |   |   |   |   |   |   |    |

O Hoops Unlimited - Marty Walker  
 O#Hoops - Bryan Gray  
 O Hoops Unlimited - Marty Walker  
 O#Hoops Jr - Bryan G  
 O Alley Oop Clinic - Bryan Gray  
 O Hoops Unlimited - Marty Walker  
 O\$Safran Volleyball  
 O Hoops Unlimited - Marty Walker

Blue Grid- Camp hours/ 7 hrs = 56 hrs total

Yellow Grid- Daily Bball Court Rentals/10.5 total hrs

Beige Grid- Daily Vball Rentals/1.5 total hrs

9PM to 4PM: 300 people/ Camp  
 5to6: 100 to 120/ 6to7: 130 to 150/ 7to8: 130 to 150/ 8to9: 110 to 130/ 9to10: 50 to 70.





November 6, 2019

Dai Vu, City Traffic Engineer  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840

Re: **Trip Generation - Proposed Weekday Daytime Operations  
The MAP Sports Facility at 12552 Western Ave, Garden Grove**

Dear Mr. Vu,

The MAP Sports Facility is an existing indoor sports facility located at 12552 Western Avenue in the City of Garden Grove. Current hours of operation are 5 PM to 10 PM Monday through Friday, and 8 AM to 10 PM Saturday and Sunday. It is seeking an amendment to expand the hours of operation to allow weekday daytime uses. Weekday daytime activities will include youth summer camps, senior/adult pickleball leagues, school-age team scrimmages, organized instructions and practices. The extended hours of operation will be **Daily from 8 AM to 11 PM**.

Adding daytime operations at this existing facility will allow summer camps (9:30 am to 3:30 pm), pickleball league (9:30 am to noon), and team scrimmages and practices (non-peak hour, by reservation). The start and finish times are strategically set 30-minute apart from the morning and afternoon peak hours to avoid the rush-hour traffic. Attributing to staff activities, not patrons, the conservative estimate of trip generation is 10 trips in the morning peak hour and 10 trips in the afternoon peak hour, based on past staffing experiences.

**Table 1. Project's Trip Generation**

| Peak Hour   | NET Trip Generation | Note   |
|-------------|---------------------|--|
| AM (7-9 am) | 10                  | Activities start after 9:30 am, including summer camps and pickleball leagues          |
| PM (4-6 pm) | 10                  | Summer camps end before 3:30 pm. Pickleball leagues are scheduled in the morning only. |

***K2 Traffic Engineering, Inc.***

Trip generation represents the amount of traffic change due to the project development. In summary, the project is expected to increase less than 10 trips in the morning and afternoon peak hours. The project is not expected to result in any significant traffic impact, compared to existing conditions. Further study of traffic impact is apparently not required.

Regards,

***K2 Traffic Engineering, Inc.***



Jende Kay Hsu, T.E.  
California Licensed TR2285



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***K2 Traffic Engineering, Inc.***

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

|  |  |
|--|--|
| <b>AGENDA ITEM NO.:</b><br>C.2.                                    | <b>SITE LOCATION:</b> Southeast corner of the intersection of Western Avenue and Lampson Avenue, at 12552 Western Avenue |
| <b>HEARING DATE:</b> April 16, 2020                                | <b>GENERAL PLAN:</b> Industrial/Residential Mixed Use 1  |
| <b>CASE NO.:</b> Conditional Use Permit No. CUP-339-11 (REV. 2020) | <b>ZONE:</b> M-P (Industrial Park)   |
| <b>APPLICANT:</b> The Map Sports Facility                          | <b>CEQA DETERMINATION:</b> Exempt  |
| <b>PROPERTY OWNER:</b> SDL Warner LLC (Attn: Tracey Barton)        | <b>APN:</b> 251-032-01   |

## **REQUEST:**

A request to modify the approved plans and Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), for an existing indoor sports facility, MAP Sports Facility, located at 12552 Western Avenue (Assessor's Parcel No. 215-032-01), to expand the hours of operation allowing daytime weekday business hours and activities and to expand the existing parking lot to provide additional parking spaces.

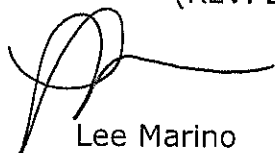
## **DISCUSSION:**

The applicant has requested to continue Conditional Use Permit No. CUP-339-11 (REV. 2020) to the June 4, 2020 Planning Commission meeting, in order to allow additional time for the applicant to address certain issues that were raised from public comments received by the City of Garden Grove. See attached applicant continuance request in writing along with the correspondence from the public.

## **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Open the public hearing and continue Conditional Use Permit No. CUP-339-11 (REV. 2020) to the June 4, 2020, Planning Commission meeting.



Lee Marino  
Planning Services Manager



Chris Chung  
Urban Planner

Zimbra

chrisc@ci.garden-grove.ca.us

---

**The Map Sports Facility**

---

**From :** Terry Teeple <teeple@pacific-teal.com>

Wed, Apr 08, 2020 10:54 AM

**Subject :** The Map Sports Facility 1 attachment**To :** 'Chris Chung (chrisc@ggcity.org)' <chrisc@ggcity.org>**Cc :** leem@ci.garden-grove.ca.us, martymap11  
<martymap11@gmail.com>, Kay Hsu, TE  
(kay@k2traffic.com) <kay@k2traffic.com>

Mr. Chris Chung,


To allow my Client and Applicant (The Map Sports Facility) time to address certain issues that were raised from public comments received by the City of Garden Grove Community and Economic Development Department, we respectfully request a continuance of CASE NO.: Conditional Use Permit No. CUP-339-11 (REV. 2020). More specifically, please continue Agenda Item No. C.2 currently scheduled for the April 16, 2020 Planning Commission meeting to their meeting of June 4, 2020. We trust the Planning Commission will open the currently scheduled public hearing on April 16, 2020 and then vote to continue CASE NO.: Conditional Use Permit No. CUP-339-11 (REV. 2020) to their June 4, 2020 meeting. Thank you for your continued cooperation.

Please acknowledge receipt of this request.

Respectfully submitted by Terry Teeple, Authorized Representative for The Map Sports Facility.

Terry Teeple  
Managing Member  
Pacific-Teal Development, LLC  
22691 Lambert Street, Suite 519  
Lake Forest, CA 92630  
PH 949.586.2066  
teeple@pacific-teal.com

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5 KB

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04/01/2020 01:10:03 AM  
**Ticket #589351**

**Status** Open  
**Priority** Normal  
**Department** Planning Help  
**Create Date** 03/31/2020 04:46:51 PM

**Name** Royden Fujimori  
**Email** rfujimori@crrmail.com  
**Phone**  
**Source** Email

**Assigned To**  
**SLA Plan** Planning SLA  
**Due Date** 04/05/2020 04:46:51 PM

**Help Topic** Planning  
**Last Response**  
**Last Message** 03/31/2020 04:46:52 PM

## Conditional Use Permit No. CUP-339-11

03/31/2020 04:46:52 PM Conditional Use Permit No. CUP-339-11

Royden Fujimori





Garden Grove Planning Division,

This is a comment in the request by the MAP Sports Facility to expand its hours of operation during the weekday and expand additional parking. The current MAP Sports Facility currently holds events during the weekend where most of the times, cannot contain the parking demand. The attendees then park throughout the business streets and areas. On the weekends, most surrounding businesses are not running so there is little conflict in parking, and attendees wondering the streets. However, if events are held during the weekday, during peak business activity, not only will there be a parking capacity issue, but, there will be a safety issue as many of the attendees will be parking throughout a heavy traffic area. In addition, many of the attendees are young children who are not always focused on safety awareness.

Thank you for the opportunity to comment

Royden Fujimori

CR&R Inc.



April 6, 2020

Mr. Chris Chung  
Urban Planner  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA. 92840

Dear Mr. Chung:

### **PURPOSE OF ZONING**

It is our understanding that the purpose of city zoning ordinances is to divide a city into various uses that are separate from one another while maintaining and clustering similar land uses within zones that are compatible and uniform as to limit conflicts of use of surrounding properties.

When the City of Garden Grove initially considered the Conditional Use Permit for MAP Sports Facility to use an existing facility as an indoor sports center in an industrial park zone, we noted our objection as the use was incompatible to the surrounding area.

Our objections were ignored and the CUP was granted. The reasoning was that by limiting the hours of operation to hours and days that would not conflict with industrial users nearby and by requiring staggered time of events to eliminate the possibility of parking overflow from one group to another, that these measures would mitigate the incompatibility issues with surrounding properties.

### **EVIDENCE OF INCOMPATIBILITY/VIOLATION OF CUP**

Now that MAP Sports Facility has been operating in the area, I write to shed some insight on the challenges we have faced and provide some anecdotal evidence of the incompatible use.

In the past, we have filed complaints with Garden Grove's Code Enforcement Departments when things have been dangerous and difficult for us to conduct our daily work, but to no avail.

**City's FINDINGS AND REASONS 2.a.** *"...will operate during hours when the surrounding businesses are closed. The indoor sports facility will be compatible with the neighboring properties and have no adverse effect upon the health, peace, comfort, or welfare of persons working in the surrounding area."*

### **STAFF REPORT FOR PUBLIC HEARING CASE NOS A-162-11 Page 5**

*Map will operate during the evening, 6:00 p.m. to 10:00 p.m. Monday through Friday..."*

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MAP Sports Facility has been operating outside the operating hours limitations of the Conditional Use Permit. We see events taking place in early afternoon during weekdays, well before 6:00 p.m. We see schools coming on the property as early as 3:00 p.m.

**Garden Grove Planning Commission Minute Excerpt Dated November 3, 2011**

*Commissioner Pak asked staff to clarify the entrances. Staff responded that a new curb cut would occur on Lampson Avenue.*

To date, we are unaware of a Lampson Avenue ingress/egress being utilized. Please see photo below taken recently. Perhaps the incentive for disuse of the Lampson Avenue ingress/egress may be the possibility of patrons entering the site without paying the toll. The entrance is generally chained off during operating hours.



**STAFF REPORT FOR PUBLIC HEARING CASE NOS A-162-11 Page 6**

*"To minimize any potential parking issues, the conditions of approval require the applicant to adhere to scheduling a 30-minute interval between league games on any given court."*

**EXHIBIT "A" CONDITIONS OF APPROVAL**

Item 12. *"A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES."*

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Conditions were put in place to ensure that proper staggering of events and the "No Loitering" clause would preclude parking issues on site.

The reality is that parking has been and continues to be an issue. From time to time, we also see catering taking place in the parking lot with BBQ grills. In fact, if you search on Google Maps 12572 Western Avenue, Garden Grove and zoom in, you will see markers by Google for Hawks Hoop Jr. NBA, The MAP Sports Facility, Progressive Power Group and Naples Rib Company. I presume Naples Rib Company may be marked as Google Location Services identified their cell phones using this facility frequently.

Food service on site invites patrons to stay longer than their designated game time, in turn, creating insufficient parking on site for the day.



As patrons come on site, often times, there is a que to enter the sports facility that spills out beyond their property and on to North Bound Western Avenue as well as the median lane heading South, this creates challenges for our trucks and trailers to enter and exit our property during normal business hours.

We believe part of the reason for the que spilling onto Western Avenue is that MAP Sports Facility charges for parking. Collecting parking toll takes time and requires drivers to wait while the cars in front are allowed access. The charging of parking toll has also created unintended consequences that affect the safety of our property. We're

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not opposed to charging a parking fee, but perhaps if the fee were collected at the door and not at the parking entry point, this may help relieve the spillover.

An additional unintended issue with charging a toll is that families wanting to avoid paying a parking toll now park on our facility and walk across Western Avenue. Others simply use our parking and shipping dock facility as a drop off point for kids to be dropped off and run across Western Avenue, creating a very dangerous situation both for the children running across a busy street as well as for the drivers along the North/South bound Western Avenue. This also creates a hazardous situation for us on our site as we have cars, trucks and fork lifts operating on our facility.

To add salt to the wound, when we have asked patrons of MAP Sports Facility to not park on our facility, they often times are belligerent and refuse to move. We have tried to call for a tow truck, but they are unwilling to come as they have requirements they must meet to tow a car from a private property.

MAP Sports Facility staff place DO NOT PARK signs in front of our parking lot on weekends, but that is not effective. Not only is it not effective, but the fact that they place a sign on our property to control their use is not a reasonable solution. It happens every weekend. In point of fact, photographs from Google Maps are attached to demonstrate the frequency of this practice.

The photographs below is from Google Maps when you enter 12571 Western Avenue, Garden Grove.



In a cursory review of comments found on Yelp for MAP Sports Facility, patrons also park north of the site on public streets to avoid paying the parking toll. The issue is that when they park north of the site in the nearby side streets, there are no pedestrian sidewalks along Western Avenue leading to the side streets where these patrons park. They end up walking through private parking lots. Again, this area's design is for an industrial use, not an indoor sports facility.

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Below is a comment on Yelp suggesting free parking North on Western as well as a photo from Google Maps on the Western Avenue/Lampson Avenue corner where it appears a family is walking across Western Avenue and there are no sidewalks north of the intersection.

 **Christy M.**  
San Gabriel, CA  
1257 friends  
492 reviews  
7473 photos  
Elite '2020

[Share review](#)  
[Embed review](#)


 12/31/2018  
 1 photo  15 check-ins


I come here a lot for basketball tournaments, and especially when my younger brother had games here regularly.


Most people that complain about how expensive it is here is because their kid(s) participate in a traveling basketball team, or for whatever other league they are involved in. Don't get mad at the facility, when you wanted to participate in tournaments here. They're just the location chosen.

I think \$12 parking is bogus, but you are paying for convenience to park on site for the facility. I believe it's cash only, too. I'm not sure if there are proper in/out privileges, since the parking spaces are limited, and there may not be any availability for when you come back. I've gone to facilities hosting tournaments where it's free parking, \$5, \$7, \$10, and have even paid up to \$25 just for convenience of parking on site. \$12 is such a random number, but I guess it could be worse =/ There is free parking off Western headed North, though if you wanted to save a few bucks, but anticipate coming much earlier before all the parking spots are filled up.

The other fee people complain about is having to pay an additional fee to go into the facility to be a spectator for whatever sport is going on. This fee is towards the tournament of whatever league you're watching/supporting, and the parking fee is contributed towards the actual facility.



 [themapsports.com](http://themapsports.com)



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 [Get Directions](#)

#### You Might Also Consider

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 384 reviews  
Renaissance ClubSport Aliso Viejo is Orange County's premier fitness club offering... [read more](#)

 **Team Sweat Fitness**  
 14 reviews  
Lisa L. said "This gym has amazing classes! The trainers here genuinely care about your goals and..." [read more](#)



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### **PREVIOUS PARKING STUDY'S CREDIBILITY**

The initial parking study used to approve the original CUP was inadequate. The assumption that each court would require 20 parking stalls was flawed as demonstrated

in the challenges we see. Most patrons likely drive individually and a two teams playing on a court likely have more than 20 players at any given time. The addition of 78 stalls will certainly help, but will taking stalls away from the adjacent 60,000 SF building allow

for proper parking demand load if the adjacent building were operating in full capacity? The adjacent building appears empty now, but once it is occupied, the parking demand for this building will rise. Does the new parking demand study account for the PPG office area on the North West side of the sports facility?

The purpose of a Conditional Use Permit is to place conditions that would allow incompatible uses within a zone with conditions that would help mitigate impacts to surrounding properties. By approving the current application to extend the allowance of operation for Monday – Friday 8:00 a.m. to 11:00 p.m. and weekends from 8:00 a.m. – 10 p.m., the few mitigations measures that were already proven to be ineffective in making the use more compatible with surrounding users, would be completely removed and the problems we have faced would continue to exacerbate. This would also create a precedence that negates the purpose of requiring a Conditional Use Permit. In essence, the changes being made are effectively allowing MAP Sports Facility to be fully within its right to operate its business alongside the industrial users nearby during the same operating time without limitation, short of allowing operations to extend to 24/7.

**Staff Report Supporting Amendment No. A-162-11 to amend Title 9 of the City of Garden Grove Municipal Code to allow Indoor Sports Facility uses in M-P Zone subject to approval of a Conditional Use Permit.**

*"The amendment will allow a limited number of 'indoor sports facility' uses to share space with the regular 'industrial' uses. The 'indoor sports facility' uses will not operate at the same time as regular business hours, rather operating after-hours on weekday evenings and on the weekend."*

The current application to extend the operating hours to Monday – Friday 8:00 a.m. to 11:00 p.m. is in direct contrast to the staff report that "indoor sports facility" uses will not operate at the same time as regular business hours, rather operating after-hours on weekday evening and on the weekends.

Some additional questions and comments:

- Does the facility provide adequate rest room stalls? In reviewing the previous floor plan with 8 courts, the number of stalls seemed insufficient.
- Does PPG continue to operate the 8,000 SF of office space exclusively at the front of the site along with the warehouse space of 7,000 SF?

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- Does MAP Sports have the proper approval and permit to operate a food service on site? Below is a comment from a patron of MAP found on Yelp. It would appear that MAP has a Snack Bar, Acai Republic Bar and a Tacos/Burritos/Quesadilla bar outside the facility.

The restrooms are a hit or miss. Some days it's kept pretty clean, other days I see the same toilet clogged for 8+ hours without being fixed. The restrooms are usually restocked in a timely manner from what I've experienced.

[www.mapsports.com](http://www.mapsports.com)

The MAP Sports Facility workers are generally pretty friendly and helpful if you need anything. During the summer it's hot AF here without proper ventilation. There's vents, but it feels worse than a sauna in there. But during the winter, it's also cold AF. So it fluctuates.

(866) 677-0919

Get Directions

Snack bar is over priced, so I almost never buy anything there. They usually had the Acai Republic bar there, which is a healthier and delicious option of food/snacks. They weren't there when I was recently, so not sure if that's still available. The Tacos/Burritos/Quesadillas bar outside the facility is good, and the workers there are friendly too. Pricey though, \$8 each plate? Meh. But it's a much better and filling deal vs paying \$5.95 inside the snack bar for a slice of pizza and soda.

**You Might Also Consider**

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**Team Sweat Fitness**  
 14 reviews  
 Lisa L. said "This gym has amazing classes! The trainers here genuinely care about your goals and..." read more

Useful Funny Cool

5/4/2019

Where do I start.

The facility is dated in comparison to other facilities hosting AAU tournaments. Unfortunately, with the closure of Next Level, the Map is the only thing in town (literally).

- Furthermore, it was our understanding that spectators were not allowed as part of the CUP per **Exhibit "A" Conditions of Approval, Item 9**, "There shall be no tournaments, competitions, or other special events that draw spectators." What we see as a nearby property owner and what we read in numerous Yelp reviews by patrons paint a different picture. Are spectators allowed?

If this application were to be approved, as a property owner impacted by the current use with its current limitations, we ask the City to recognize that removing the current limitations will create additional impact on the surrounding users and that the City will provide appropriate mitigation measures to ensure that MAP's use does not impede on our operation and the safety of our employees. We further ask the City to create a mechanism by which we would be allowed to quickly call on a tow truck service to

remove cars that are trespassing on our property. Should the problems continue to exist, we ask the City to review the conditions and use of the subject property and to amend the conditions as necessary.

Best regards,

Spencer Hurtt  
 President/CEO

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RESOLUTION NO. 5982-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-339-11 (REV. 2020), FOR A PROPERTY LOCATED ON THE SOUTHEAST CORNER OF WESTERN AVENUE AND LAMPSON AVENUE, AT 12552 WESTERN AVENUE, ASSESSOR'S PARCEL NO. 215-032-01.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on June 18, 2020, approved Conditional Use Permit No. CUP-339-11 (REV. 2020) for the property located on the southeast corner of Western Avenue and Lampson Avenue, at 12552 Western Avenue, Assessor's Parcel No. 215-032-01.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-339-11 (REV. 2020), the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by the MAP Sports Facility, with the authorization of the property owner, SDL Warner LLC.
2. A request to modify the approved plans and Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), for an existing indoor sports facility, MAP Sports Facility, located at 12552 Western Avenue (Assessor's Parcel No. 215-032-01), to expand the hours of operation allowing daytime weekday business hours and activities, and to expand the existing parking lot to provide additional parking spaces.
3. The applicant has requested certain modifications to the approved plans and Conditions of Approval applicable to Conditional Use Permit No. CUP-339-11 (REV. 2014) to expand the hours of operation allowing daytime weekday business hours and activities, and to expand the existing parking lot to provide additional parking spaces.
4. The City of Garden Grove has determined that this project is not subject to the California Environmental Quality Act ("CEQA"; Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.).
5. The property at 12552 Western Avenue has a General Plan Designation of Industrial/Residential Mixed Use 1 and is within the M-P (Industrial Park) zone. The property is currently divided into two areas, which are divided by a chain link fence. The approximately four (4) acre MAP Sports Facility ("MAP") site at the northwest corner of the property is improved with an existing 80,000 square foot warehouse building (12552 Western Avenue) that is utilized by MAP and currently in operation as an indoor sports facility. The remaining portion of the site, which wraps around the easterly and southerly part of the property, is improved with a parking lot area and a 20,001 square foot one-story industrial

warehouse building, fronting Western Avenue, which is currently in operation as an apparel distribution warehouse.

6. Existing land use, zoning, and General Plan Land Use designation of the areas included in this Conditional Use Permit and in their vicinity have been reviewed.
7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was held on June 18, 2020, and all interested persons were given an opportunity to be heard.
9. The Planning Commission gave due and careful consideration to the matter during its meeting of June 18, 2020; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030, are as follows:

FACTS:

The applicant is requesting approval to modify the approved plans and Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), for an existing indoor sports facility, MAP Sports Facility, located at 12552 Western Avenue (Assessor's Parcel No. 215-032-01), to expand the hours of operation allowing daytime weekday business hours and activities and to expand the existing parking lot to provide additional parking spaces.

The subject site is an existing approximately six (6) acre site located on the southeast corner of the intersection of Western Avenue and Lampson Avenue. The subject site abuts industrial type uses in all directions. The zoning of the subject site is M-P (Industrial Park) and the Land Use Designation is Industrial/Residential Mixed Use 1. The property is currently divided into two areas, which are divided by a chain link fence. The approximately four (4) acre MAP Sports Facility ("MAP") site at the northwest corner of the property is improved with an existing 80,000 square foot warehouse building (12552 Western Avenue) that is utilized by MAP and currently in operation as an indoor sports facility. The remaining portion of the site, which wraps around the easterly and southerly part of the property, is improved with a parking lot area and a 20,001 square foot one-story industrial warehouse building, fronting Western Avenue, which is currently in operation as an apparel distribution warehouse.

In 2011, the City of Garden Grove approved Amendment No. A-162-11 and Conditional Use Permit No. CUP-339-11 to allow a Code Amendment to Title 9 of the City of Garden Grove Municipal Code to allow "indoor sports facility" uses in the M-P (Industrial Park) zone subject to a Conditional Use Permit, and approved a Conditional Use Permit for the MAP Sports Facility (MAP) at 12552 Western Avenue (for operation within the 80,000 square foot warehouse building). According to business license records, the MAP Sports Facility has been in operation since 2012.

In 2014, the City of Garden Grove approved Conditional Use Permit No. CUP-339-11 (REV. 2014) to allow modifications to the approved plans and the Conditions of Approval under Conditional Use Permit No. CUP-339-11, to update the business operational conditions relating to, but not limited to, parking space requirements, building code compliance, and maximum building occupancy. The City concurrently approved Amendment No. A-009-2014, amending Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit. Amendment No. A-009-2014 was processed by the City of Garden Grove in coordination with the proposed modifications to the Conditions of Approval for MAP (under Conditional Use Permit No. CUP-339-11 (REV. 2014)), which implicitly authorized MAP to charge its patrons for parking. Notably, the approval of CUP-339-11 (REV. 2014) accomplished the following items including, but not limited to: (i) completion of various building improvements to increase the maximum occupancy (the maximum number of persons allowed in the building) per the California Building Standards Code from 294 occupants to a new maximum of 516 occupants; (ii) in order to accommodate the increase in maximum occupancy for the building, re-striping of the existing parking lot to increase the number of parking spaces available on-site from 170 parking spaces to 191 parking spaces (increase of 21 parking spaces); (iii) to further support the accommodation of the increased maximum occupancy for the building, establishing and implementing a carpool incentive program, the "Green MAP Plan", which allows up to forty-five (45) vehicles carpooling with four (4) or more occupants per vehicle to park on-site for free; and (iv) interior tenant improvements to add a snack and merchandise shop within the indoor sports facility.

The MAP Sports Facility ("MAP") is an indoor sports facility where the primary sports played are basketball and volleyball. The applicant is requesting to modify the Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), to expand the hours of operation allowing daytime weekday business hours and activities. The proposed hours of operation will be from 8:00 a.m. to 11:00 p.m., seven (7) days a week, and Condition No. 8 would be modified to reflect this change. Proposed weekday daytime activities will include youth summer camps, senior pickleball league, and typical school-aged team scrimmages, organized instruction, and practices. The applicant submitted a parking demand study produced and conducted by K2 Traffic Engineering, Inc. ("K2"), a professional firm with California licensed traffic engineers who provide traffic engineering and civil engineering design and consulting services. The K2 parking demand study was prepared in order to address projected parking demand and any potential impacts from the new weekday daytime hours of operation and activities.

MAP intends to host youth summer camps of basketball and volleyball sports with up to a maximum of 300 participants between 6 and 18 years of age. Additionally, the MAP plans to introduce adult pickleball league play to take place during off-peak weekday daytime hours between the hours of 9:00 a.m. to 4:00 p.m. The MAP proposes to expand its free carpool incentive program by adding 20 carpool spaces for a new total of 65 carpool spaces, as part of the "Green MAP Plan". The applicant

is also proposing to introduce and utilize an overflow parking area, which is currently an existing parking lot area on the eastern portion of the property separated by a fence and sliding gates. During any peak times and events, as necessary, the MAP will provide open access and use of this overflow lot, which provides an additional 78 parking spaces. The new proposed total of 269 parking spaces would represent a surplus of 113 parking spaces.

In response to issues raised in public comments received by the City of Garden Grove, the applicant prepared a Parking Management Plan ("PMP") to establish and implement mitigation measures to minimize potential on- and off-site impacts to surrounding properties. The PMP will be implemented during any high/peak demand periods, as necessary, and to ensure the operation does not cause a nuisance, hindrance, and/or problem with either on-site and/or off-site parking and/or circulation.

#### FINDINGS AND REASONS:

##### Conditional Use Permit:

1. That the proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The proposed modifications to the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11 (REV. 2014), will be consistent with the General Plan Land Use Designation of the property, which is Industrial/Residential Mixed Use 1, provided that the project complies with all conditions of approval, including effective implementation of the Parking Management Plan ("PMP") approved under CUP-339-11 (REV. 2020).

2. That the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area.

The proposed modifications to the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11 (REV. 2014), will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area. The applicant's proposal includes an expansion of its carpool incentive program by increasing the number of carpool parking spaces from 45 to 65, to further promote carpooling and reduce parking demand. In addition, the applicant is also proposing to introduce and utilize an overflow parking area, which is currently an existing parking lot area on the eastern portion of the property separated by a fence and sliding gates. During any peak times and events, as necessary, the MAP will provide open access and use of this overflow lot, which provides an additional 78 parking spaces. Upon project completion, the MAP Sports Facility will provide 269 parking spaces, which is

comprised of seven (7) ADA handicap accessible spaces, 184 standard spaces, and 78 overflow spaces. Under the original approval of Conditional Use Permit No. CUP-339-11, it was determined that a minimum of 156 parking spaces were required for the MAP – a parking rate of 2.43 parking spaces per 1,000 square feet. The new proposed total of 269 parking spaces would represent a surplus of 113 parking spaces. The additional overflow parking lot, along with the expanded carpool incentive program, will mitigate any potential on- and off-site parking issues. The conditions of approval, including effective implementation of the Parking Management Plan (“PMP”) approved under CUP-339-11 (REV. 2020), will minimize potential impacts to the adjoining area. Provided the conditions of approval for the project are adhered to for the life of the project, the use will be harmonious with persons who work and live in the area.

3. The proposed use will not interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site.

The proposed modifications to the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11 (REV. 2014), will not unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located within the vicinity of the site, provided that the conditions of approval are adhered to for the life of the project, and provided there is effective implementation of the Parking Management Plan (“PMP”) approved under CUP-339-11 (REV. 2020).

The operation of the indoor sports facility will not interfere with the operation of the uses (e.g., industrial) in the surrounding area. The applicant’s proposal includes an expansion of its carpool incentive program by increasing the number of carpool parking spaces from 45 to 65, to further promote carpooling and reduce parking demand. In addition, the applicant is also proposing to introduce and utilize an overflow parking area, which is currently an existing parking lot area on the eastern portion of the property separated by a fence and sliding gates. During any peak times and events, as necessary, the MAP will provide open access and use of this overflow lot, which provides an additional 78 parking spaces. Upon project completion, the MAP Sports Facility will provide 269 parking spaces, which is comprised of seven (7) ADA handicap accessible spaces, 184 standard spaces, and 78 overflow spaces. Under the original approval of Conditional Use Permit No. CUP-339-11, it was determined that a minimum of 156 parking spaces were required for the MAP – a parking rate of 2.43 parking spaces per 1,000 square feet. The new proposed total of 269 parking spaces would represent a surplus of 113 parking spaces. The additional overflow parking lot, along with the expanded carpool incentive program, will mitigate any potential on- and off-site parking issues.

The indoor sports facility is on a major street for ease of access and will not encumber smaller streets in the industrial area. In the project vicinity, public parking is conveniently available on Western Avenue and Anaconda Avenue. It is estimated that approximately 135 on-street public parking spaces are

available on these nearby streets. On a weekend day, the parking demand study cited observations that as many as 102 cars parked on the street at peak. During the same period, only 41 pedestrians were observed walking to the MAP Sports Facility, indicating that not all cars parked on the nearby public streets were patrons of the MAP. It was determined that there was no apparent correlation between the number of walk-in patrons and the number of vehicles parked on nearby public streets. Generally, on-street parking in the surrounding industrial areas is abundantly available, especially on Friday evenings, weekends, and holidays (peak periods for the MAP). The proposed indoor sports facility will operate in a way that does not conflict with the regular permitted business operations in the area and therefore, will not unreasonably interfere with the use, enjoyment, or valuation of property of other persons located within the vicinity of the site. Additionally, the applicant has prepared a Parking Management Plan ("PMP") that establishes and implements mitigation measures to minimize potential on- and off-site impacts to surrounding properties. The PMP will be implemented during any high/peak demand periods, as necessary, and to ensure the operation does not cause a nuisance, hindrance, and/or problem with either on-site and/or off-site parking and/or circulation.

4. The proposed use will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

Provided that the indoor sports facility use continues to adhere to the conditions of approval for the life of the project, and provided there is effective implementation of the Parking Management Plan ("PMP") approved under CUP-339-11 (REV. 2020), the proposed modifications to the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11 (REV. 2014), will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

5. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The proposed project proposes to modify the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11 (REV. 2014). There is no proposed additional floor area to the existing building. The applicant's proposal includes an expansion of its carpool incentive program by increasing the number of carpool parking spaces from 45 to 65, to further promote carpooling and reduce parking demand. In addition, the applicant is also proposing to introduce and utilize an overflow parking area, which is currently an existing parking lot area on the eastern portion of the property separated by a fence and sliding gates. During any peak times and events, as necessary, the MAP will provide open access and use of this overflow lot, which provides an additional 78 parking spaces. Upon project completion, the MAP Sports Facility will provide 269

parking spaces, which is comprised of seven (7) ADA handicap accessible spaces, 184 standard spaces, and 78 overflow spaces. Under the original approval of Conditional Use Permit No. CUP-339-11, it was determined that a minimum of 156 parking spaces were required for the MAP – a parking rate of 2.43 parking spaces per 1,000 square feet. The new proposed total of 269 parking spaces would represent a surplus of 113 parking spaces. The additional overflow parking lot, along with the expanded carpool incentive program, will mitigate any potential on- and off-site parking issues. The existing site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features, in order to continue integration of the existing indoor sports facility use with the uses in the surrounding area. Additionally, the applicant has prepared a Parking Management Plan (“PMP”) that establishes and implements mitigation measures to minimize potential on- and off-site impacts to surrounding properties. The PMP will be implemented during any high/peak demand periods, as necessary, and to ensure the operation does not cause a nuisance, hindrance, and/or problem with either on-site and/or off-site parking and/or circulation.

6. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic to be generated, and by other public or private service facilities as required.

The proposed project only proposes to modify the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11 (REV. 2014). The existing site is adequately served by highways and streets.

#### INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Revised Conditions of Approval (Exhibit “A”) shall apply to Conditional Use Permit No. CUP-339-11 (REV. 2020). All existing conditions of approval, as approved under CUP-339-11 (REV. 2014), along with any modified or new conditions of approval, as approved under CUP-339-11 (REV. 2020) will apply.

**EXHIBIT "A"**

Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020)

12552 Western Avenue

**REVISED CONDITIONS OF APPROVAL**

(New text in underline and deleted text in ~~strikethrough~~):

**General Conditions**

1. ~~The applicant and each owner of the property shall execute, and the applicant shall record against the subject property a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office. Proof of such recordation is required within 30 days of this approval. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, The Map Sports Facility, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission~~  
The applicant shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit Approval," as prepared by the City Attorney's Office, on the property. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission.
2. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations. Unless otherwise expressly specified, all other requirements of the Garden Grove Municipal Code shall apply. The applicant shall obtain, and abide by any necessary permits of licenses required to conduct the use, in compliance with all applicable laws. ~~The approval of CUP-339-11 (REV. 2014) shall be contingent upon City Council approval of Amendment No. A-009-2014.~~
3. Minor modifications to the ~~floor approved~~ plans or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the floor plan or to these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.



Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020)  
Conditions of Approval

4. The approved site plan, floor plan and the use of the subject property as represented by the Applicant are integral parts of the decision approving this Conditional Use Permit. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project/approved use or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.

5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

~~4.~~

#### **Public Works – Environmental Services Division**

6. For any demolition work performed on the site, the processing of all material shall be performed in accordance with local rules and regulations. Garden Grove Disposal shall provide waste containers for demolition materials in accordance with their exclusive franchise agreement with the City of Garden Grove.

5.7. Applicant shall reserve an area for a Municipal Solid Waste (MSW) container, recycling container, and organics recycling container (3 cubic feet and 3 separate containers total).

#### **Building Services and Safety Division**

6.8. To operate the proposed "indoor sports facility" on the site, the building improvements including occupancy load shall comply with the California Building Standards Code for the new use including but not limited to: disabled access, minimum plumbing fixtures, and an exit system. All other improvements necessary for improving the site and interior shall also comply with all provisions of the California Building Code.

#### **Community and Economic Development Department**

7.9. There shall be no additional changes in the design of the floor plan without the approval of the Community and Economic Development Department, Planning Division. Any additional changes in the approved floor plan, which has the effect of expanding or intensifying or changing the present use, shall require the applicant/business owner to obtain the proper entitlements.

8.10. At the sports facility site, all practicing and playing of sports shall occur within the building. Hours of operation shall be 5:00 p.m. 8:00 a.m. to ~~10:00~~

Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020)  
Conditions of Approval

~~p.m. 11:00 p.m., Monday through Friday and 8:00 a.m. to 10:00 p.m. Saturday and Sunday seven (7) days a week.~~ All games shall be scheduled with a thirty-minute interval between them to allow time for one set of team members to leave the facility before the next teams arrive and therefore, not double the parking demand.

9. — There shall be no tournaments, competitions, or other special events that draw spectators. To add tournaments and other such events to the approved business operation, the business owners shall provide a revised parking study and an operational plan to address the increased demand for parking, security, and/or issues or impacts created by such events. For regularly occurring tournaments or events the applicant shall submit for approval by the Community and Economic Development Department a request to allow for such and be applied on an event by event basis. The applicant can apply for a Special Event permit for a tournament/event that is a one-time addition. In both cases the submittal and approval of a revised parking study and operational plan by the Community and Economic Development Department is required. To engage in a tournament/event, the business owner shall submit plans for review and approval by the Community and Economic Development Department a minimum of 30 days prior to the tournament/event.

11.

~~10. — A new main entrance to the indoor sports facility shall be constructed on the Western Avenue elevation of the building to provide clear direction and to provide a path for wheelchair access between the sidewalk and the facility. The new entrance shall be included in the building permit for the tenant improvements to construct the indoor courts.~~

~~11.~~12. The applicant/property owner shall maintain a minimum of ~~191-269~~ parking spaces on the site (184 standard parking spaces, 7 ADA accessible parking spaces, and 78 overflow parking spaces), per the submitted site plan for CUP-339-11 ~~(REV. 2014)~~(REV. 2020), that are available to participants at the indoor sports facility. In addition, the applicant shall implement a carpool incentive plan, (the "Green Map Plan") which will allow at least ~~forty five sixty-five (45)(65)~~ vehicles carpooling with four (4) or more occupants per vehicle to park on-site for free. The carpool incentive plan is meant to encourage patrons to carpool to the indoor sports facility. The carpool incentive plan shall be in effect and implemented at all times. The overflow parking area, (of 78 parking spaces), shall be made available to patrons of the indoor sports facility, during any peak times and events, as necessary.

Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020)  
Conditions of Approval

Due to the nature of the operation of an indoor sports facility with variables in user demand there is the possibility that parking issues may arise. In the event, the site cannot accommodate the parking demand at any given time which causes a nuisance, hindrance, and/or problem with ~~both~~either on-site ~~and~~and/or off-site parking and/or circulation, the business owner/property owner shall devise and implement a plan to relieve the situation. On-site circulation problems refer to parking along designated "red-curb" area, blocking fire lanes, blocking regular drive aisles/double parking and reducing or blocking entrances or exits.

The business owner/property owner shall submit a plan, prepared by a licensed traffic engineer, to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but not be limited to: reducing the hours of operation, limiting the number of courts in use at one time, limiting the number of attendees per tournament or other special event, instituting an off-site parking arrangement; having on-site parking control personnel; and/or other actions that may be deemed applicable to the situation.

If the ~~City's~~ Community and Economic Development Director deems such action is necessary to address parking and/or circulation problems, such action shall be implemented within 30 days of written notice. Failure to take appropriate action shall be deemed a violation of these Conditions of Approval and may result in the City restricting the overall use of the facility or revocation of this Conditional Use Permit.

~~12-13.~~ A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the entrance of the establishment, and shall also be visible to the public.

~~13-14.~~ All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.

~~14-15.~~ There shall be no gaming tables or gaming machines, as outlined in City Code Sections 8.20.010 and 8.20.050, on the premises.

~~15-16.~~ There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.08.070.

Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020)  
Conditions of Approval

~~16.17.~~ There shall be no customers or patrons in or about the premises when the establishment is closed.

~~17.18.~~ In the event security problems occur, and at the request of the Police Department, the applicant/business owner, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.

~~18.19.~~ ~~New lighting~~ Lighting shall ~~be added to~~ highlight the main entries into the indoor sports facilities and ~~to~~ provide adequate lighting for ~~the all new and existing~~ parking areas. All lighting structures shall be placed and maintained so as to confine direct rays to the subject property. Lighting levels shall be maintained at a minimum of two foot-candles during hours of operation and a minimum of one foot-candle all other hours of darkness.

~~19.20.~~ Graffiti shall be removed from the premises, and all parking lots under the control of business owner(s) and/or property owner, within 120 hours upon notification/application. Additionally, the applicant/owner shall remove all USA markings from the public right-of-way upon completion of any construction.

~~20.21.~~ Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.

~~21.22.~~ All trash bins shall be kept inside the trash enclosure(s), and gates closed at all times, except during disposal and pick-up. The applicant shall provide sufficient trash bins and pick-up to accommodate the site. Trash pick-up shall be at least once per week~~The applicant/business owner shall submit a revised site plan showing the location of a trash enclosure for approval by the Community Development Department. The applicant/business owner shall be responsible for the construction of a trash enclosure on the site and coordinating with the Garden Grove Sanitary District and their contractor the specifics such as trash pick-up times, number and types of trash receptacles, and locations of the trash enclosures. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up. Graffiti shall be removed from the premises, and all parking lots under the control of the licensee and/or the property owner, within 120 hours upon notification/application.~~

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~~22-23.~~ The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.

~~23-24.~~ No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.

~~24-25.~~ No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.

~~25-26.~~ Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).

~~26. The applicant/business owner(s) shall submit a sign plan for review and approval by the Community Development Department showing the locations and design for new signs identifying the sports facility and any other directional signs to make the circulation, parking, and loading on the site clear. The applicant/business owner(s) are responsible for obtaining a sign permit and installing the signs prior to beginning operation of the indoor sports facility. Any modifications to existing signs or the installation of new signs shall require approval by the Community Development Department, Planning Services Division prior to issuance of a building permit.~~

27. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort. Signing for the development shall be consistent with that applicable sign development standards for the developments in the M-P (Industrial Park) zone as stated in the City of Garden Grove Municipal Code.

28. A copy of the Resolution and the Conditions of Approval for Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020) shall be kept on the premises at all times.

29. The applicant and business owner shall submit a signed letter acknowledging receipt of the resolution approving Conditional Use Permit No. CUP-339-11

Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020)  
Conditions of Approval

~~(REV. 2014)~~(REV. 2020), and his/her agreement with all conditions of the approval.

30. ~~This Conditional Use Permit may be called for review by City Staff, the City Council, or the Planning Commission for any reason, including if noise or other complaints are filed and verified as valid by the Code Enforcement office or other city department concerning the violation of approved conditions, the Garden Grove Municipal Code, or any other applicable provisions of law. The City at its discretion may review Conditional Use Permit No. CUP-339-11 (REV. 2014) every year order to determine if the business is operating in compliance with the conditions of approval and if further administrative review is required.~~
31. ~~All existing conditions of approval, as approved under CUP-339-11 (REV. 2014), along with any modified or new conditions of approval, as approved under CUP-339-11 (REV. 2020) will apply. Any Conditional Use Permit previously governing this tenant space shall become null and void, and superseded in its entirety, by approval of CUP-339-11 (REV. 2014).~~
32. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning ~~Amendment No. A-162-11, Conditional Use Permit No. CUP-339-11, and Conditional Use Permit No. CUP-339-11 (REV. 2014)~~(REV. 2020). The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
33. ~~Provided the provisions set for in Condition No. 11 and all applicable Building and Fire Code provisions are complied with, t~~The maximum allowable occupancy for the indoor sports facility use shall be limited to a maximum of 516 occupants. This number shall be clearly posted in a conspicuous place within the establishment at all times. The Community and Economic Development Director may direct the applicant to further limit the maximum permitted occupancy if determined to be necessary to comply with applicable Building or Fire Codes and/or to mitigate demonstrated significant adverse

Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020)  
Conditions of Approval

impacts on neighboring uses due to insufficient on-site parking availability or use.

34. The indoor snack bar shall provide only pre-packaged foods (i.e., candy bars, chips, popcorn), fountain drinks, bottled drinks, hot dogs, pizza, nachos, pastries, and any other similar items that do not require cooking. The hours of operation of the snack bar will be from ~~5:00 p.m. 8:00 a.m.~~ to ~~10:00 p.m. 11:00 p.m.~~, ~~Monday through Friday,~~ and ~~8:00 a.m. to 9:00 p.m.,~~ Saturday and Sunday seven (7) days a week. The indoor snack bar shall be incidental to the main indoor sports facility use.
35. The indoor merchandise store shall sell only items related to the indoor sports facility use such as: clothing, shoes, training equipment, basketballs, backpacks, and socks. The hours of operation of the merchandise store will be from 8:00 a.m. to ~~9:00 p.m. 11:00 p.m.~~, ~~Saturday and Sunday seven (7) days a week.~~ The indoor merchandise store shall be incidental to the main indoor sports facility use.
36. If not already existing ~~T~~the applicant/operator shall install bike racks on-site to accommodate a minimum of sixteen (16) bicycles. Final location and placement of the new bike racks shall be subject to the review and approval by the Community and Economic Development Department.
37. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation up to \$1,000 pursuant to GGMC 1.22.010(a).
38. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Conditional Use Permit No. CUP-339-11 (REV. 2020) shall become null and void, and the use shall revert back and be subject to Conditional Use Permit No. CUP-339-11 (REV. 2014), if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.
39. The applicant shall not impose a parking fee to patrons of the indoor sports facility during off-peak periods and during weekday daytime hours between 8:00 a.m. to 5:00 p.m.
40. Permitted activities of the indoor sports facility operation shall be limited to the following:

Conditional Use Permit No. CUP-339-11 ~~(REV. 2014)~~(REV. 2020)  
Conditions of Approval

- a. During off-peak/daytime weekday hours of operation, Monday through Friday between 8:00 a.m. to 5:00 p.m., permitted activities include: youth summer camps (not to exceed 300 participants at any one time) relating to volleyball and basketball sports; senior pickleball league play (not to exceed 8 courts and 32 participants, at any one time); and typical organized instruction, practices, and league play relating to volleyball and basketball sports.
  - b. During off-peak/nighttime weekday hours of operation, Monday through Thursday between 5:00 p.m. to 11:00 p.m., permitted activities include: senior pickleball league play (not to exceed 8 courts and 32 participants, at any one time); and typical organized instruction, practices, and league play relating to volleyball and basketball sports.
  - c. During peak weekend hours of operation, Friday evenings between 5:00 p.m. to 11:00 p.m., and Saturday, and Sunday, between 8:00 a.m. to 11:00 p.m., permitted activities include typical organized instruction, practices, and league play relating to volleyball and basketball sports.
41. The Parking Management Plan ("PMP") approved under Conditional Use Permit No. CUP-339-11 (REV. 2020) shall be implemented during any high/peak demand periods, as necessary, and to ensure the indoor sports facility operation does not cause a nuisance, hindrance, and/or problem with either on-site and/or off-site parking and/or circulation. The PMP shall implement the following mitigation measures:
- a. Implement an on-site two-lane vehicular queuing area, with parking attendant(s) directing drivers, for capacity of at least twenty (20) vehicles, to eliminate on-street vehicular queuing/stacking on Western Avenue;
  - b. Locate the portable parking fee collection kiosk in the center of the property, to allow adequate vehicular queuing space (for twenty (20) vehicles) to eliminate on-street vehicular queuing/stacking on Western Avenue;
  - c. Implement a designated drop-off zone with queuing capacity of at least six (6) vehicles;
  - d. Utilization of parking attendant(s) and adequate signage, as necessary, at nearby sites to prevent patrons, of the MAP Sports Facility, from unauthorized parking on off-site private lots; and



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36.e. Control vehicular access entering and exiting the site to ensure effective on-site vehicular circulation (i.e., preventing vehicular ingress from Lampson Avenue or from the northerly driveway approach off Western Avenue).

Zimbra

chrisc@ci.garden-grove.ca.us

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**The Map Sports Facility - CASE NO: Conditional Use Permit No. CUP-339-11 (REV. 2020)**

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**From :** Terry Teeple <teeple@pacific-teal.com>

Fri, May 22, 2020 05:09 PM

**Subject :** The Map Sports Facility - CASE NO: Conditional Use Permit No. CUP-339-11 (REV. 2020) 1 attachment**To :** 'Chris Chung (chrisc@ggcity.org)' <chrisc@ggcity.org>**Cc :** leem@ci.garden-grove.ca.us, martymap11 <martymap11@gmail.com>, Kay Hsu, TE (kay@k2traffic.com) <kay@k2traffic.com>

Dear Planning Commissioners and City Staff.

I hope this finds you well under these challenging circumstances. On behalf of my Client, The Map Sports Facility (Map), I wish to express my gratitude to the Planning Commission for honoring our request to continue Agenda Item No. C.1. from your April 16, 2020 meeting to your meeting scheduled for June 4, 2020. Our team has been utilizing this invaluable time afforded us by the Planning Commission's continuance of our Subject Case. More specifically we have focused on the two (2) comment letters that the City of Garden Grove received during the public comment period. I offer the following responses to both comment letters:

CR&amp;R, Inc. Letter - Ticket #589351 Create dated 03/31/2020:

After reviewing the public comment submitted by CR&R, Inc., we are pleased that the author offers the following relative to the weekend operation at The Map Sports Facility: "On the weekends, most surrounding businesses are not running so there is little conflict in parking, and attendees wondering (wandering-spelling corrected) the streets."

The Amendment we seek via Conditional Use Permit No. CUP-339-11 (REV. 2020) centers around expanding the hours of operation to include weekday daytime activities at the Map. It is very clear to me that the author of the public comment is not informed when he states ... "However, if events are held during the weekday, during peak business activity, not only will there be a parking capacity issue, but, there will be a safety issue as many of the attendees will be parking throughout a heavy traffic area." City Staff raised similar concerns and questions early in the process of evaluating the Amendment. As a result, K2 Traffic Engineering produced the Trip Generation - Proposed Weekday Daytime Operations / The MAP Sports Facility at 12552 Western Ave, Garden Grove, dated November 6, 2019 (Memo). Said Memo as well as the Staff Report and Conditions of Approval clearly mandate that the proposed weekday daytime hours of operations are restricted to OFF PEAK, AM- and PM peak traffic hours. The author of the public comment is also and unfortunately uninformed regarding the parking required for the proposed weekday daytime hours of operations. As part of City Staff's required

analysis, K2 Engineering also produced a document entitled the Parking Demand Study / The MAP Sports Facility 12552 Western Ave, Garden Grove dated September 9, 2019 (Study). Among many other components, this Study clearly demonstrates that the proposed weekday daytime activities anticipates the maximum use of 80 parking spaces at any one time. As you are aware, there are currently 191 existing parking spaces at the Map. This means the proposed weekday daytime activities will require less than 50% of the existing parking spaces. The author's assertion that there will be "a parking capacity issue" is simply incorrect. It is well to note that both the Memo and the Study were reviewed and accepted by the City of Garden Grove's Traffic Engineer ... These work products support the City Staff's recommendation for the Planning Commission to approve the Conditional Use Permit No. CUP-339-11 (REV. 2020).

Container Supply Letter dated April 6, 2020:

We have thoroughly reviewed the comments contained in this letter. Much like the CR&R comments, the author is unfortunately misinformed about numerous facts and activities The Map Sports Facility (Map), is vested with vis-à-vis the Conditions of Approval for the Map's CUP No. 339-11 (REV. 2014).

Examples of this include the Map's current vesting described in Conditions of Approval #34 and #35 ... These conditions allow the Map to provide both food and drinks AND sell sports merchandise during hours of operation. It should be noted that the Conditions of Approval #34 and #35 are as numbered in proposed CUP No. 339-11 (REV. 2020). The Container Supply comment letter raises issues that although have occurred very rarely since the Map opened for business in May, 2012, warrant PRO-ACTIVE consideration. Specifically and again on very rare occasion, patrons of the Map have utilized the parking lot of Container Supply across Western Avenue. These rare, UNAUTHORIZED occurrences have taken place in spite of the Map's placement of "A-Frame" signs at the driveways of the Container Supply facility forbidding Map patrons from this activity. In addition, and only during weekend events when parking fees are charged to Map patrons to vehicles having LESS THAN 4 OCCUPANTS, a "queuing" issue occurs. This forces vehicles to queue up on Western Avenue. Recall that the vehicles with 4 or more occupants enjoy FREE parking per the GREEN MAP PROGRAM, proposed by Condition of Approval #12 to increase to 65 vehicles ... This will further promote carpooling. It is also well to note that the vehicle queuing on Western Avenue ONLY occurs during the beginning of the day and for weekend events. On rare occasions the Map holds 3-day events when children are out of school on 3-day, holiday weekends ... Typically these include Martin Luther King holiday in January, President's holiday weekend in February and the 4th weekend in May over the Memorial Day weekend.

In an effort to mitigate the aforementioned issues raised by Container Supply, my Client has authorized the creation of a "Parking Management Plan" (PMP). This self-imposed mitigation is intended to resolve the rare occasions that impact the Container Supply operations, particularly on a Friday or Monday of a 3-day event at the Map. On these rare occasions the Container Supply facility may be observing these Fridays or Mondays Holidays, and thus not working. I would direct your attention to both the PMP and Staff's proposed Condition of Approval #41. The Map will be obligated to

implement the PMP during any high/peak demand periods, as necessary per Condition #41. The PMP also includes the strict prohibition of Map patrons from parking in the Container Supply's parking lot by hiring another parking lot attendant. In order to best implement the PMP, Staff has proposed Condition of Approval #12 relative to adequate parking at the Map ALWAYS being available. The PMP requires the inclusion of ONSITE queuing for 20 vehicles as noted and shown on the PMP. Condition of Approval #41 also requires opening the 78 overflow parking spaces during peak demand periods.

This was noted and supported by K2 Traffic Engineering's Parking Demand Study dated September 9, 2019, as reviewed and approved by the City of Garden Grove Traffic Engineer.

It is important to add that The Map Sports Facility has NEVER been notified by either the City's Code Enforcement Department or Container Supply directly regarding the two (2) major issues alleged and discussed herein above. It was not until City Staff shared Container Supply's April 6, 2020 public comment letter that the Map was made aware of same. It is also well to note that Map provides a very important and much needed sports facility to both youth and adults alike. The Map's facility has proven to be even more important since the Next Level Sports Complex went out of business October 20, 2018.


Lastly, my Client has reviewed and accepts the REVISED CONDITIONS OF APPROVAL labeled EXHIBIT "A" for CASE NO: Conditional Use Permit No. CUP-339-11 (REV. 2020).

We would like to thank City Staff for their courteous cooperation while evaluating the Amendment being sought by The Map Sports Facility.

Respectfully,

Terry Teeple - Authorized Representative for The Map Sports Facility  
Pacific-Teal Development, LLC  
22691 Lambert Street, Suite 519  
Lake Forest, CA 92630  
PH 949.586.2066  
teeple@pacific-teal.com

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# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

|  |   |
|--|---|
| <b>AGENDA ITEM NO.:</b> D.1.                             | <b>SITE LOCATION:</b> East side of Harbor Boulevard, and south of Chapman Avenue, at 12100 Harbor Boulevard |
| <b>HEARING DATE:</b> June 18, 2020                       | <b>GENERAL PLAN:</b> International West   |
| <b>CASE NO.:</b> Conditional Use Permit No. CUP-178-2020 | <b>ZONE:</b> HCSP-TCB (Harbor Corridor Specific Plan – Tourist Commercial B)                                |
| <b>APPLICANT:</b> Target Corporation                     | <b>CEQA DETERMINATION:</b> Exempt – Section 15301 - Existing Facilities                                     |
| <b>PROPERTY OWNER:</b> Mann Enterprise, Inc.             | <b>APN:</b> 231-491-01, -05, -06, and -07   |

**REQUEST:**

A request for Conditional Use Permit approval to allow an existing retail store, Target, located at 12100 Harbor Boulevard, to operate with a new State Alcoholic Beverage Control (ABC) Type "21" (Off-Sale, General) License. The existing retail store is currently operating with an ABC Type "20" (Off-Sale, Beer and Wine) License, under the approval of Conditional Use Permit No. CUP-132-04. Upon approval and exercising of the subject request, the Conditional Use Permit previously governing the tenant space, CUP-132-04, shall be revoked and become null and void.

**BACKGROUND:**

The subject site is comprised of four (4) lots held under common ownership, with a total area of twelve (12) acres. The site is improved with an existing 140,000 square foot commercial building that is occupied by two (2) tenants. The applicant, Target, occupies 122,181 square feet of building area and has a 9,800 square foot garden center. The site is also improved with a 5,878 square foot free-standing, single-story commercial building, which operates as a full-service car wash, Crystal Car Wash. The car wash is located north of the Target building and fronts the south side of Chapman Avenue.

The subject property is located along the northern edge of the border between the City of Garden Grove and the City of Anaheim. To the north, across Chapman Avenue, is a commercial development located within the City of Anaheim. The subject commercial center has frontages along the south side of Chapman Avenue and on the east side of Harbor Boulevard. There is a commercial development on the southeast corner of Harbor Boulevard and Chapman Avenue that abuts the subject property along the south and east property lines. There is a residential development

behind the subject property and the adjacent commercial businesses. The properties to the west, across Harbor Boulevard, are improved with restaurants and hotels.

On February 19, 2004, the City of Garden Grove approved Conditional Use Permit No. CUP-132-04 to allow the existing retail store, Target, to operate with an original Alcoholic Beverage Control Type "20" (Off-Sale, Beer and Wine) License.

The applicant has submitted a request to upgrade the existing ABC Type "20" (Off-Sale, Beer and Wine) License and initiated an application with the Department of Alcoholic Beverage Control for a new original ABC Type "21" (Off-Sale, General) License. Municipal Code Section 9.16.020.080.B requires the approval of a Conditional Use Permit when there is an application for a new original ABC license.

Under a separate application, Site Plan No. SP-085-2020, the applicant requested approval to convert 9,292 square feet of the existing garden center structure into additional stock area for the existing Target retail store.

### **DISCUSSION:**

There are no proposed substantial changes to the floor plan of the existing Target retail store. The interior of the retail store will continue to consist of display shelves, a market area with grocery items, storage areas, employee rooms, walk-in coolers, restrooms, offices, and cashier registers.

Hours of operation will continue to be from 8:00 a.m. to 12:00 a.m., seven (7) days a week, with expanded hours during the holiday season. Maximum holiday hours occur at the following times: (a) Thanksgiving to New Year – 7:00 a.m. to 12:00 a.m.; and (b) Thanksgiving Day – 7:00 a.m. to 1:00 a.m. In the event problems arise concerning the operation of this business, the hours of operation may be reduced by order of the Police Department.

The Target retail store is located in a high-crime district, and in an area of an undue-concentration of Alcoholic Beverage Control off-sale licenses. In order to approve the request, a Finding of Public Convenience or Necessity is required. A summary of the district and the Findings of Public Convenience or Necessity can be found in Resolution No. 5993-20 for Conditional Use Permit No. CUP-178-2020.

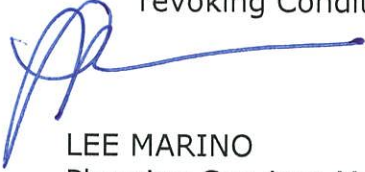
The existing Conditional Use Permit No. CUP-132-04 was approved to allow the existing retail store, Target, to operate with an original Alcoholic Beverage Control Type "20" (Off-Sale, Beer and Wine) License. Upon the approval and exercise of Conditional Use Permit No. CUP-178-2020, for the ABC Type "21" (Off-Sale, General) License, CUP-132-04 shall be revoked, and become null and void.

The Community and Economic Development Department and the Police Department have reviewed the request and are supporting the proposal. All standard conditions of approval for an ABC Type "21" License will apply.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt the attached Resolution approving Conditional Use Permit No. CUP-178-2020, subject to the recommended Conditions of Approval, and revoking Conditional Use Permit No. CUP-132-04.



LEE MARINO  
Planning Services Manager



By: Chris Chung  
Urban Planner

Attachment 1: Applicant Letter

ATTACHMENT 1

260 CALIFORNIA STREET, SUITE 700 SAN FRANCISCO, CA 94111 TEL. 415.362.1215 FAX: 415.362.1494



June 10, 2020

To: THE CITY OF GARDEN GROVE PLANNING COMMISSION

Re: CONDITIONAL USE PERMIT NO. CUP-178-2020

Applicant: Target Corporation

Site Location: 12100 Harbor Blvd.

Dear Commissioners:

On behalf of the applicant, Target Corporation ("Target"), I acknowledge that Target has read and is in agreement with the attached Conditions of Approval for Conditional Use Permit No. CUP-178-2020.

Respectfully,

A handwritten signature in cursive script that reads "Beth Aboulafia".

Beth Aboulafia, Partner  
Hinman & Carmichael LLP

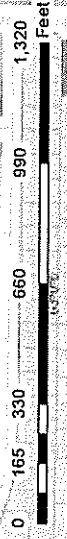
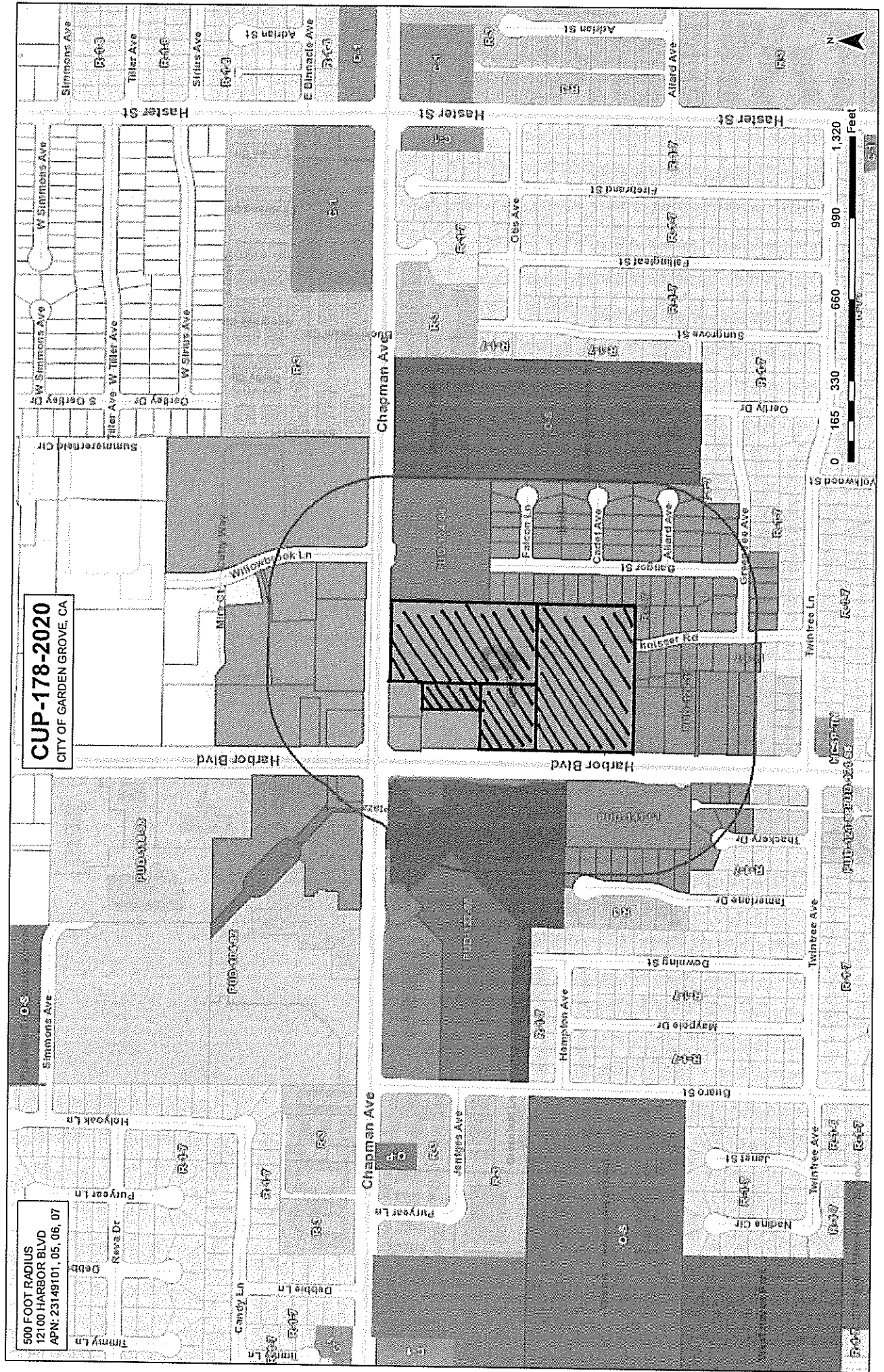
Attorney for Target Corporation

Attachment: CUP-178-2020 Conditions of Approval



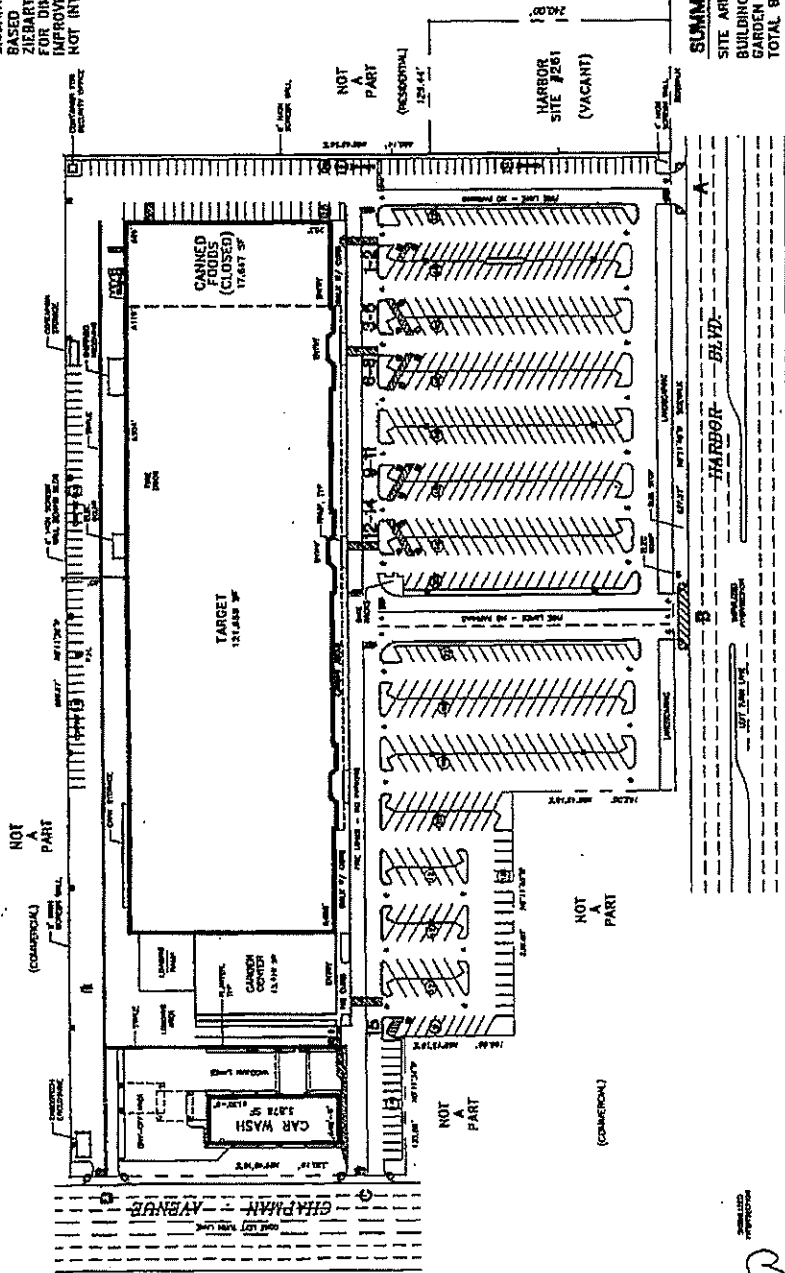
500 FOOT RADIUS  
12100 HARBOR BLVD  
APN: 23149101, 05, 06, 07

CUP-178-2020  
CITY OF GARDEN GROVE, CA



**NOTE:**  
 ZIEBARTH ASSOCIATES HAS PREPARED THIS SITE PLAN  
 BASED ON INFORMATION PROVIDED.  
 ZIEBARTH ASSOCIATES ASSUMES NO LIABILITY  
 FOR DIMENSIONAL ACCURACY OR THE EXISTENCE OF ANY  
 IMPROVEMENT NOT READILY VISIBLE. THIS DRAWING IS  
 NOT INTENDED AS A SUBSTITUTE FOR AN ALTA SURVEY.

EXHIBIT **B**



**SUMMARY**

|   |                           |
|---|---------------------------|
| SITE AREA                                 | 12 ACRES OR 524,534 SQ FT |
| BUILDING AREA                             | 145,383 SQ FT             |
| GARDEN CENTER AREA                        | + 13,210 SQ FT            |
| TOTAL BUILDING AREA (incl. garden center) | 159,093 SQ FT             |
| SITE/BLDG. RATIO                          | 2.61 TO 1                 |
| PARKING PROVIDED                          | 636 SPACES                |
| STANDARD                                  | 84% OR + 928 SPACES       |
| COMPACT                                   | 14% OR + 88 SPACES        |
| DISABLED                                  | 2% OR + 15 SPACES         |
| TOTAL                                     | 631 SPACES                |
| PARKING RATIO                             | 3.97/1,000 SQ FT          |

|             |          |
|-------------|----------|
| PROJECT NO. | 107248   |
| DATE        | 11/27/88 |
| SCALE       | 1" = 50' |

**Z ZIEBARTH ASSOCIATES**  
 ARCHITECTS & ENGINEERS  
 1575 S. 15th St., Suite 400, Las Vegas, NV 89102  
 (702) 735-2250 FAX (702) 334-1108

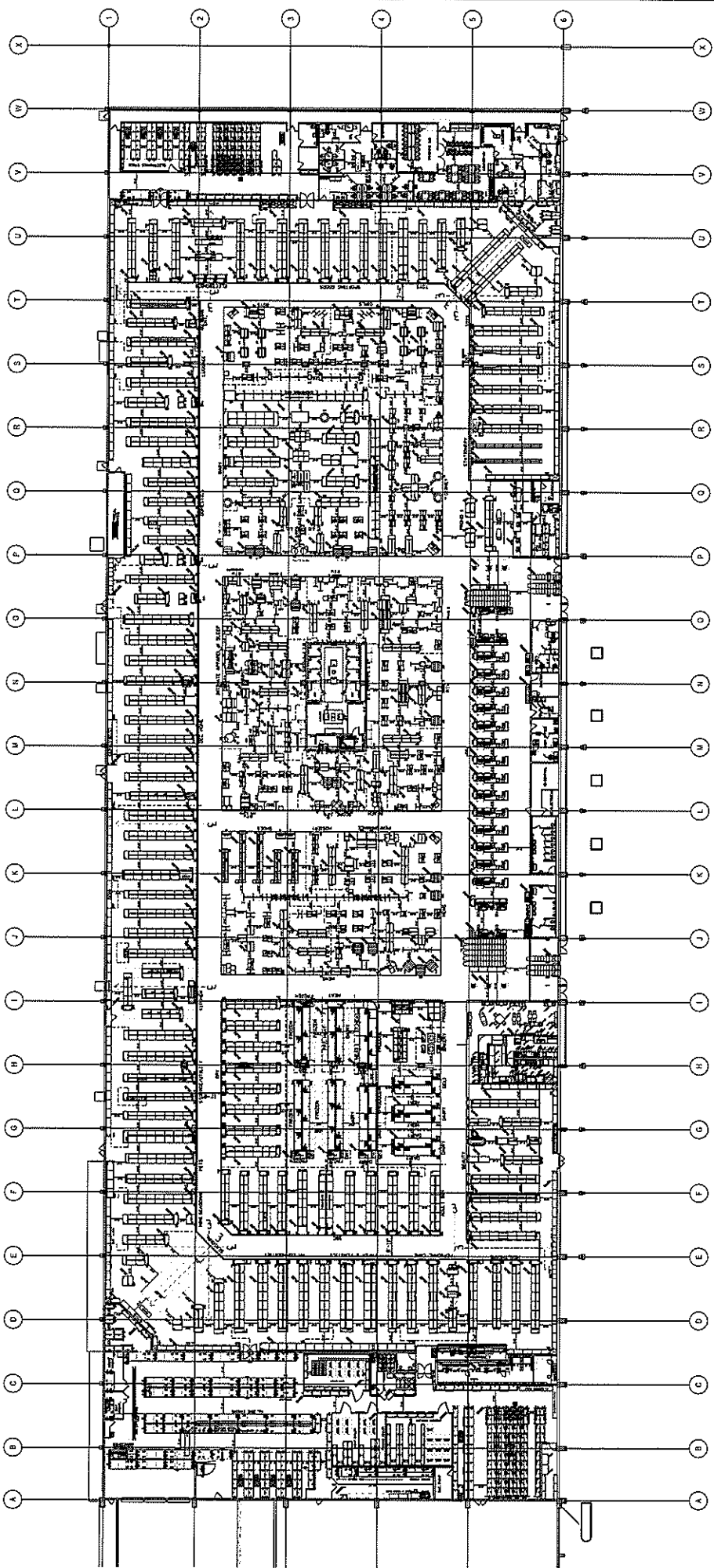


SITE PLAN #260/#261  
**HARBOR**  
 GARDEN GROVE, CALIFORNIA  
**NEVADA INVESTMENT HOLDINGS, INC.**

EXHIBIT **B**

**TARGET CORPORATION**  
 TARGET CORPORATION, FURNITURE DEVELOPMENT  
 10000 W. CENTURY BLVD. SUITE 100  
 LOS ANGELES, CA 90045  
 PROJECT: TARGET STORE #10192  
 DATE: 07/22/2019  
 DRAWN BY: J. [unreadable]  
 CHECKED BY: [unreadable]  
 SCALE: 1/8" = 1'-0"

**CEILING HEIGHT**  
 A & A: 15'-0"  
 Hardlines: 15'-0"  
 Stockrooms: 19'-0"  
 SEE OTHER SHEETS FOR DETAILS



AS BUILT  
 PUBLICATION

**TARGET**

ISSUE DATE: 07/22/2019  
 PLOT DATE: 07/22/2019 13:35  
 PLANNER: [unreadable]  
 PROJECT: [unreadable]  
 REV: FL 4 2019 HIGH SCOPE  
 10000 W. CENTURY BLVD. SUITE 100  
 LOS ANGELES, CA 90045  
 STORE # 10192  
 TARGET FIXTURE PLAN  
 SHEET NO. FW1  
 FED P19

RESOLUTION NO. 5993-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-178-2020 AND REVOKING CONDITIONAL USE PERMIT NO. CUP-132-04, FOR A 131,473 SQUARE FOOT COMMERCIAL TENANT SPACE, OCCUPIED BY TARGET, A RETAIL STORE, ON A PROPERTY LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, AND SOUTH OF CHAPMAN AVENUE, AT 12100 HARBOR BOULEVARD, ASSESSOR'S PARCEL NOS. 231-491-01, -05, -06, AND -07.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby approve Conditional Use Permit No. CUP-178-2020, and revoke Conditional Use Permit CUP-132-04, for 131,473 square foot commercial tenant space, occupied by Target, a retail store, on a property located on the east side of Harbor Boulevard, and south of Chapman Avenue, at 12100 Harbor Boulevard, Assessor's Parcel Nos. 231-491-01, -05, -06, and -07 and hereby determines that public convenience or necessity would be served by issuance of an Alcoholic Beverage Control (ABC) Type "21" (Off-Sale, General) License this location.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-178-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Target Corporation, with authorization of the property owner, Mann Enterprise, Inc.
2. The Applicant has requested Conditional Use Permit approval to allow an existing retail store, Target, located at 12100 Harbor Boulevard, to operate with a new State Alcoholic Beverage Control (ABC) Type "21" (Off-Sale, General) License. The existing retail store is currently operating with an ABC Type "20" (Off-Sale, Beer and Wine) License, under the approval of Conditional Use Permit No. CUP-132-04. Upon approval and exercising of the subject request, the Conditional Use Permit previously governing the tenant space, CUP-132-04, shall be revoked and become null and void.
3. The Planning Commission hereby determines that this project is exempt pursuant to Article 19, Section 15301, Existing Facilities, of the California Environmental Quality Act.
4. The property has a General Plan Land Use designation of International West Mixed Use, and is zoned HCSP-TCB (Harbor Corridor Specific Plan - Tourist Commercial B).
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.

6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on June 18, 2020, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of June 18, 2020, and;

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030 (Conditional Use Permits), are as follows:

FACTS:

The subject site is comprised of four (4) lots held under common ownership, with a total area of twelve (12) acres. The site is improved with an existing 140,000 square foot commercial building that is occupied by two (2) tenants. The applicant, Target, occupies 122,181 square feet of building area and has a 9,800 square foot garden center. The site is also improved with a 5,878 square foot free-standing, single-story commercial building, which operates as a full-service car wash, Crystal Car Wash. The car wash is located north of the Target building and fronts the south side of Chapman Avenue.

The subject property is located along the northern edge of the border between the City of Garden Grove and the City of Anaheim. To the north, across Chapman Avenue, is a commercial development located within the City of Anaheim. The subject commercial center has frontages along the south side of Chapman Avenue and on the east side of Harbor Boulevard. There is a commercial development on the southeast corner of Harbor Boulevard and Chapman Avenue that abuts the subject property along the south and east property lines. There is a residential development behind the subject property and the adjacent commercial businesses. The properties to the west, across Harbor Boulevard, are improved with restaurants and hotels.

On February 19, 2004, the City of Garden Grove approved Conditional Use Permit No. CUP-132-04 to allow the existing retail store, Target, to operate with an original Alcoholic Beverage Control Type "20" (Off-Sale, Beer and Wine) License.

The applicant has submitted a request to upgrade the existing ABC Type "20" (Off-Sale, Beer and Wine) License and initiated an application with the Department of Alcoholic Beverage Control for a new original ABC Type "21" (Off-Sale, General) License. Municipal Code Section 9.16.020.080.B requires the approval of a Conditional Use Permit when there is an application for a new original ABC license.

Under a separate application, Site Plan No. SP-085-2020, the applicant requested approval to convert 9,292 square feet of the existing garden center structure into additional stock area for the existing Target retail store.

The Target retail store is located in a high-crime district, and in an area with an over-concentration of Alcoholic Beverage Control Off-Sale Licenses. A summary of the district is as follows:

- The subject site is located in Crime Reporting District No. 153.
- The crime count for the District is 197.
- Average crime count per district in the City is 97.
- A District is considered high when it exceeds the Citywide average by 20%.
- The subject District has a crime count of 103% above the Citywide average; therefore, it is considered a low-crime area.
- The subject site is located in Alcoholic Beverage Control Census Report District No. 884.03.
- ABC Census Reporting District No. 884.03 allows for four (4) off-sale licenses within the District. Currently, there are six (6) off-sale licenses in the District, which includes the existing ABC Type "20" (Off-Sale, Beer and Wine) License in use by the existing Target retail store. The approval of this CUP will upgrade the existing ABC Type "20" License to a Type "21" (Off-Sale, General). Because this approval will only replace the existing ABC License, the total number of off-sale licenses in District 884.03 will remain at six (6).

#### PUBLIC CONVENIENCE OR NECESSITY:

Because the proposed establishment is located within a district with a high crime rate and in an area with an over-concentration of ABC licenses, pursuant to Business and Provisions Code Sections 23958 and 23958.4, ABC may not issue a new alcohol license to the applicant unless the Planning Commission determines that the public convenience or necessity would be served by issuance of the license. Although the subject site is located in an area considered to be in a high-crime district and in an area with an over-concentration of off-sale ABC licenses, a finding for public convenience or necessity is warranted given the potential community benefit through the operation of the retail store with an ABC Type "21" (Off-Sale, General) License, which would provide and maintain an amenity that enhances the customer shopping experience and maintains the intent of being a business serving the local community. The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The Conditions of Approval will minimize potential impacts to the adjoining area. Provided the Conditions of Approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

#### FINDINGS AND REASONS:

1. That the proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The subject site has a General Plan Land Use Designation of International West Mixed Use (IW), and is zoned HCSP-TCB (Harbor Corridor Specific Plan – Tourist

Commercial B). The IW land use designation is intended to provide for a mix of uses, including retail, that are appropriate for a major entertainment and tourism destination. Commercial retail stores with retail sales of alcohol beverages are conditionally permitted in the HCSP-TCB zone. This approval will allow the retail store to operate with an ABC Type "21" (Off-Sale, General) License. The store has been in operation since 2004 with an ABC Type "20" (Off-Sale, Beer and Wine) License. The subject request is only to upgrade the ABC license type to a Type "21" (Off-Sale, General) License. Provided that the conditions of approval are complied with, the use will be consistent with the General Plan.

2. That the requested use at the location proposed will not: adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The store has been in operation since 2004 with an ABC Type "20" (Off-Sale, Beer and Wine) License. The subject request is only to upgrade the ABC license type to a Type "21" (Off-Sale, General) License. Standard conditions of approval for this type of ABC license have been included. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

The use will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site, provided the conditions of approval are adhered to for the life of the project. By operating as a retail store, with ancillary beer, wine, and distilled spirit sales for off-site consumption only, the use will be compatible with the surrounding uses. There are no proposed changes to the operation of the store, other than the upgrade of the license. The hours of operation will remain the same.

3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The site, with the existing site improvements and modifications, is of adequate size to accommodate the proposed uses within the surrounding area. This approval only authorizes the upgrade of the current ABC license for the store to allow the sale of distilled spirits in addition to the existing sale of beer and wine. No exterior development is proposed.

4. That the proposed site is adequately served: by highways or streets or sufficient width and improved as necessary to carry the kind and quantity of traffic such as to be generated, and by other public or private service facilities as required.

The site is located on the east side of Harbor Boulevard, and south of Chapman Avenue, which are fully developed streets that provide adequate traffic circulation and driveway access to public parking areas. The site is also sufficiently served by the public service facilities required, such as public utilities: gas, electric, water, and sewer facilities. Approval of the proposed upgrade to the existing ABC license for the store is not anticipated to result in a significant increase in traffic or to cause additional burdens on services facilities.

#### INCORPORATION OF FACTS AND REASONS SET FORTH IN THE STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030 (Conditional Use Permits).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the following Conditions of Approval, attached as Exhibit "A", shall apply to Conditional Use Permit No. CUP-178-2020.



**EXHIBIT "A"**  
**Conditional Use Permit No. CUP-178-2020**

12100 Harbor Boulevard  
(Assessor's Parcel Nos. 231-491-01, -05, -06, and -07)

**CONDITIONS OF APPROVAL**

**General Conditions**

1. Each owner of the property shall execute, and the applicant shall record, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, on the property within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to the project applicant, the owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the applicable City hearing body, except as otherwise provided herein.
3. This Conditional Use Permit only authorizes the operation of a 131,473 square foot retail store with ancillary beer, wine, and distilled spirit sales for off-site consumption only with a Type "21" ABC License (Off-Sale, General), as identified on the site plan and floor plan attached to these Conditions of Approval. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. Minor modifications to the approved site plan, floor plan, and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the approved floor plan, site plan, or Conditions of Approval that would result in the intensification of the project or create impacts that have not been previously addressed, and which are determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Police Department**

6. There shall be no gaming tables or gaming machines, as outlined in City Code Sections 8.20.010 and 8.20.050, on the premises at any time.
7. Hours of operation shall be permitted from 8:00 a.m. to 12:00 a.m., seven (7) days a week, with expanded hours during the holiday season. Maximum holiday hours occur at the following times: (a) Thanksgiving to New Year – 7:00 a.m. to 12:00 a.m.; and (b) Thanksgiving Day – 7:00 a.m. to 1:00 a.m. However, if problems arise where the hours of operation need to be reduced in order to minimize any problems, the operator shall change the hours of operation, as prescribed by the Police Department.
8. There shall be no customers or patrons loitering in or about the premises during store hours of operation. If the store operators decide to close the store for short periods of time, there shall be no customers or patrons on or about the premises when the establishment is closed.
9. In the event security problems occur, and at the request of the Police Department, the permittee, at his own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.
10. All pay phones located on the property, adjacent to the premises, shall be limited to out-going calls only. This condition shall be complied with within 30 days following approval of this application.
11. The sale of alcoholic beverages for consumption on the premises is prohibited. Consumption of alcoholic beverages shall not occur anywhere on the site or within the premises.
12. The business, prior to obtaining the Alcoholic Beverage Control (ABC) Type "21" License, shall show proof to the Police Department that all members of the business staff have completed the LEAD training (Licensee Education on Alcohol and Drugs) through the Alcoholic Beverage Control Department or an ABC approved "Responsible Beverage Service (RBS) Training" program.

13. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation of up to \$1,000 pursuant to GGMC 1.22.010 (a).

**Community and Economic Development Department**

14. Alcoholic beverages in containers of 16 ounces or less shall not be sold by single containers, and shall be sold in manufactured, pre-packaged, multiple-unit quantities.
15. No outside storage or displays shall be permitted at any time.
16. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at entrance, and shall also be visible to the public.
17. There shall be no pool tables or amusement devices on the premises at any time.
18. Any adult merchandise (books, magazines, videos) shall be kept under the control of the management, behind the cashier's counter, and must be segregated and screened from minors.
19. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.08.070.
20. There shall be no deliveries to or from the premises between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week.
21. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
22. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
23. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be a sufficient number of times per week to accommodate all uses on the site.

24. Graffiti shall be removed from the premises, and all parking lots under the control of the licensee and/or the property owner, within 120 hours upon notification/application.
25. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
26. The applicant/property owner shall be responsible for providing adequate parking area lighting in compliance with City regulations. Lighting in the parking area shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate adjacent properties.
27. The applicant/property owner shall improve and maintain all existing landscaped areas on the property.
28. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
29. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort. No signs advertising alcoholic beverages shall be placed on the windows.
30. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
31. A copy of the decision and the conditions of approval for Conditional Use Permit No. CUP-178-2020 shall be kept on the premises at all times.
32. The permittee shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-178-2020 and his /her agreement with all conditions of the approval.
33. If deemed necessary by the Community and Economic Development Director, the Conditional Use Permit may be reviewed within one year from the date of this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.
34. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents

and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Conditional Use Permit No. CUP-178-2020. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

35. The applicant is advised that if the use of the establishment ceases to operate for more than 90 days, then the existing Conditional Use Permit will become null and void and the new applicant shall be required to apply for a new Conditional Use Permit subject to the approval by the Community and Economic Development Department, Planning Services Division. In the event the use(s) authorized by the CUP cease and the property owner no longer desires to continue such use(s) on the property, property owner may voluntarily terminate the CUP and all rights and obligations thereunder by executing and recording a request for voluntary revocation and termination of the CUP in a form acceptable to the City.
36. As stipulated in Resolution No. 5993-20, upon approval and exercising of Conditional Use Permit No. CUP-178-2020, the Conditional Use Permit previously governing the tenant space, CUP-132-04, shall be revoked and become null and void.
37. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Conditional Use Permit No. CUP-178-2020 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

|  |   |
|--|---|
| <b>AGENDA ITEM NO.:</b> D.2.                                     | <b>SITE LOCATION:</b> Southeast corner of Chapman Avenue, and Harbor Boulevard, at 12100 Harbor Boulevard |
| <b>HEARING DATE:</b> June 18, 2020                               | <b>GENERAL PLAN:</b> International West Mixed Use   |
| <b>CASE NO.:</b> Site Plan No. SP-085-2020                       | <b>ZONE:</b> HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial “B”)                            |
| <b>APPLICANT:</b> Kimley-Horn & Associates, Inc. (Justin Becker) | <b>CEQA DETERMINATION:</b> Exempt Section 15301 – Existing Facilities                                     |
| <b>PROPERTY OWNER(S):</b> Sunbelt Management Company             | <b>APN:</b> 231-491-01  |

**REQUEST:**

The applicant is requesting Site Plan approval to convert 9,292 square feet of an existing garden center structure into stock area for an existing Target retail store.

**BACKGROUND:**

The property is an approximately 12.03-acre integrated shopping center located on the southeast corner of Chapman Avenue and Harbor Boulevard, at 12100 Harbor Boulevard. The property has a General Plan Land Use Designation of International West Mixed Use and is zoned HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial “B”). The shopping center includes: Target, Crystal Car Wash, and Viva Bargain Center.

The property is located in a mixed-use area, with commercial developments to the north, south, and west, and residential uses to the east. The existing department store building was approved in 1968 under Site Plan Amendment No. SPA-109-68. Target began operations at the location in 1983, according to Business Tax records. In 1995, the Planning Commission approved Site Plan No. SP-151-95 to remove an existing garden center, and replace it with the 9,800 square foot garden center currently on site. Planning Commission approved Conditional Use Permit No. CUP-132-04 in 2004 for the store to operate under a new State Alcoholic Beverage Control Type “20” (Off-sale, Beer and Wine) License. The applicant is now proposing to convert 9,292 square feet of the existing garden center into stock area, and demolish the remaining 508 square feet.

The Harbor Corridor Specific Plan requires a site plan review for any rehabilitation, renovation, redevelopment, expansion, or intensification of existing use or structure. The subject request, as a conversion of space, and exterior façade improvements, would be considered a renovation and rehabilitation, thus requiring a site plan review.

**PROJECT STATISTICS:**

|  | <b>Provided</b>                         | <b>Code Requirement</b>  |
|--|---|--|
| <b>Minimum Lot Size</b>  | 12.03 Acres                             | 50,000 S.F. (1.15 Acres)   |
| <b>Lot Frontage</b>  | 620'-7 ¼"                               | 180'-0"  |
| <b>Setbacks</b><br>Front (West)<br>Rear (East)<br>Side (North)<br>Side (South) | 181'-0"<br>134'-0"<br>170'-0"<br>66'-0" | 5'-0" for 50% of street frontage, 45'-0" for remaining 50%<br>20'-0"<br>20'-0"<br>5'-0" for 50% of street frontage, 45'-0" for remaining 50% |
| <b>Parking</b>   | 732 spaces                              | 689 spaces   |
| <b>Building Height</b>   | 30'-0"                                  | 45'-0"   |

**DISCUSSION:**

SITE PLAN:

Circulation, Parking, and Unit Design

The project will consist of converting 9,292 square feet of the existing 9,800 square foot garden center into stock area. The remaining 508 square feet of garden center will be demolished. With the garden center structure having been previously approved and constructed, the proposal is considered a conversion of an existing building area, and not a completely new construction. The new stock area will be for back-of-house storage, accessible only by employees, and not a part of the store's customer area. The demolished area will remain open, widening the maneuvering area of the existing loading area to the east. No changes to the parking area, or on-site circulation are proposed.

The required number of parking spaces for the shopping center is based on the square footage, and the uses on the property. The Harbor Corridor Specific Plan requires one (1) parking space per 225 square feet of retail floor area for integrated shopping centers larger than one acre, plus an additional twenty-six (26) parking

spaces for the car wash, approved under Site Plan No. SP-138-94. Under the subject proposal, the shopping center has 149,120 square feet of retail area. This requires 663 parking spaces. Combined with the twenty-six (26) spaces required for the car wash, the property is required to have 689 parking spaces total. The site provides 732 spaces, a forty-three (43) space surplus. Even with the changes to the design of the store, the parking requirements of the Harbor Corridor Specific Plan and the Municipal Code have been met.

The new stock area will be used for general storage of store merchandise. Currently, the store is limited in its back-of-house storage capacity. With the additional square footage, the store can reconfigure, and redesign all of its storage, stock, marking, docking, and other back-of house facilities, without losing any customer shopping floor area.

### Building Design

The extent of the proposed improvements is minimal, as it is just a conversion of an existing store area to a stock area. It includes the removal of the existing fence barriers, and replacing them with solid walls. The temporary, canvas canopy type roof and solid awnings will be removed, and replaced with a permanent roof. Overall, the height of the space will be thirty feet (30'-0") to the top of the parapet, to match the remainder of the store. Approximately 508 square feet of the existing garden center will be demolished, widening the maneuvering area of the loading docks directly to the east.

The converted garden center will be designed in a contemporary style, to match the existing façade, reflecting Target's current corporate image. The conversion area will use concrete walls with various scorings, and will rely primarily on paint to add visual interest. A thick cap and parapet will run along the top of the new stock area, creating a visual extension of cap and parapet along the top of the remainder of the store. Overall, the height of the converted area will be raised to match the height of the existing store's roof. A section of the façade will be painted red, with horizontal metal paneling to articulate the wall. All of the paints and new signage will match the store's new corporate image standards, already existing on the rest of the store. The building design, as well as the new signage meet all applicable Municipal Code requirements.



**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

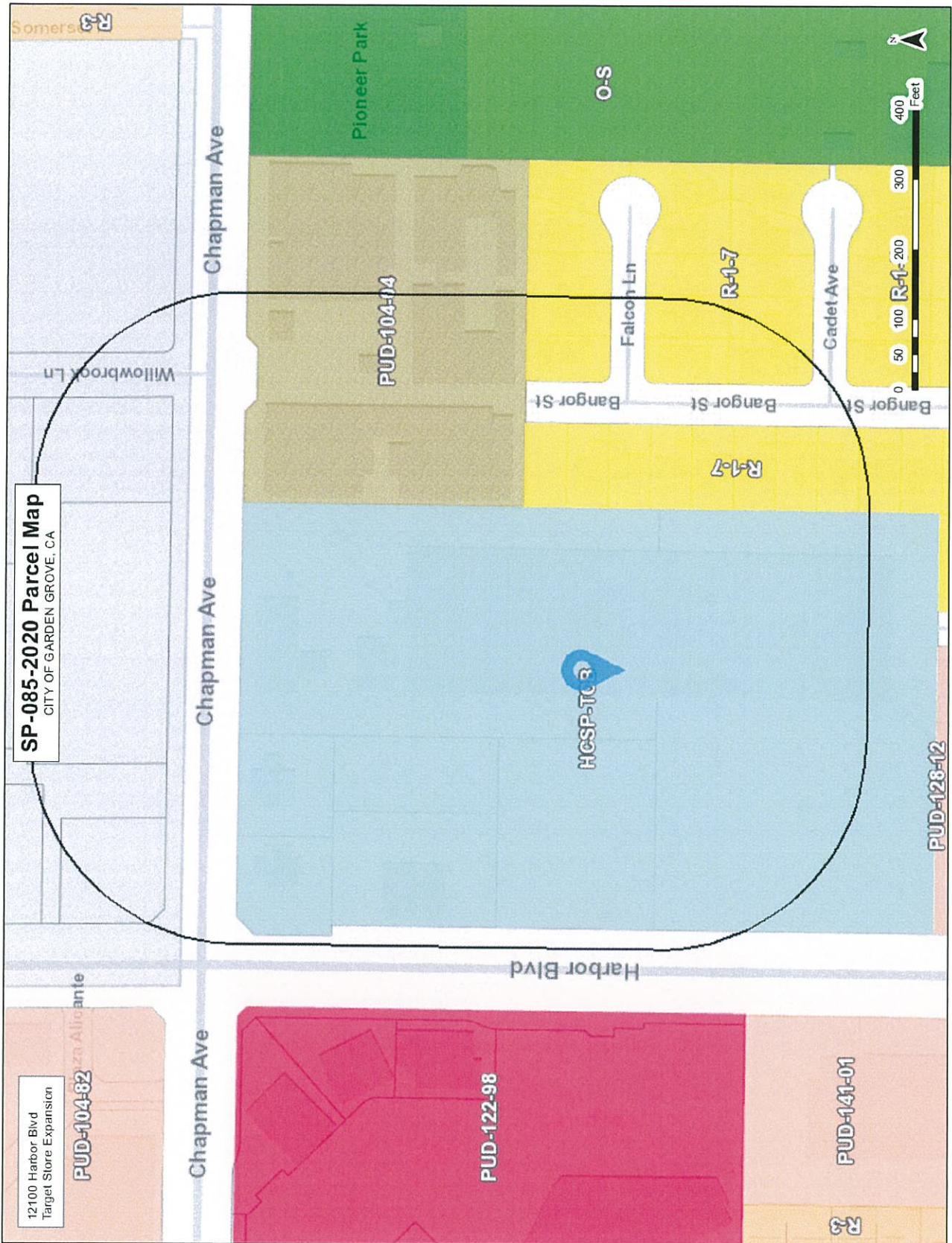
1. Adopt Resolution No. 5989-20, approving Site Plan No. SP-085-2020, subject to the recommended Conditions of Approval.

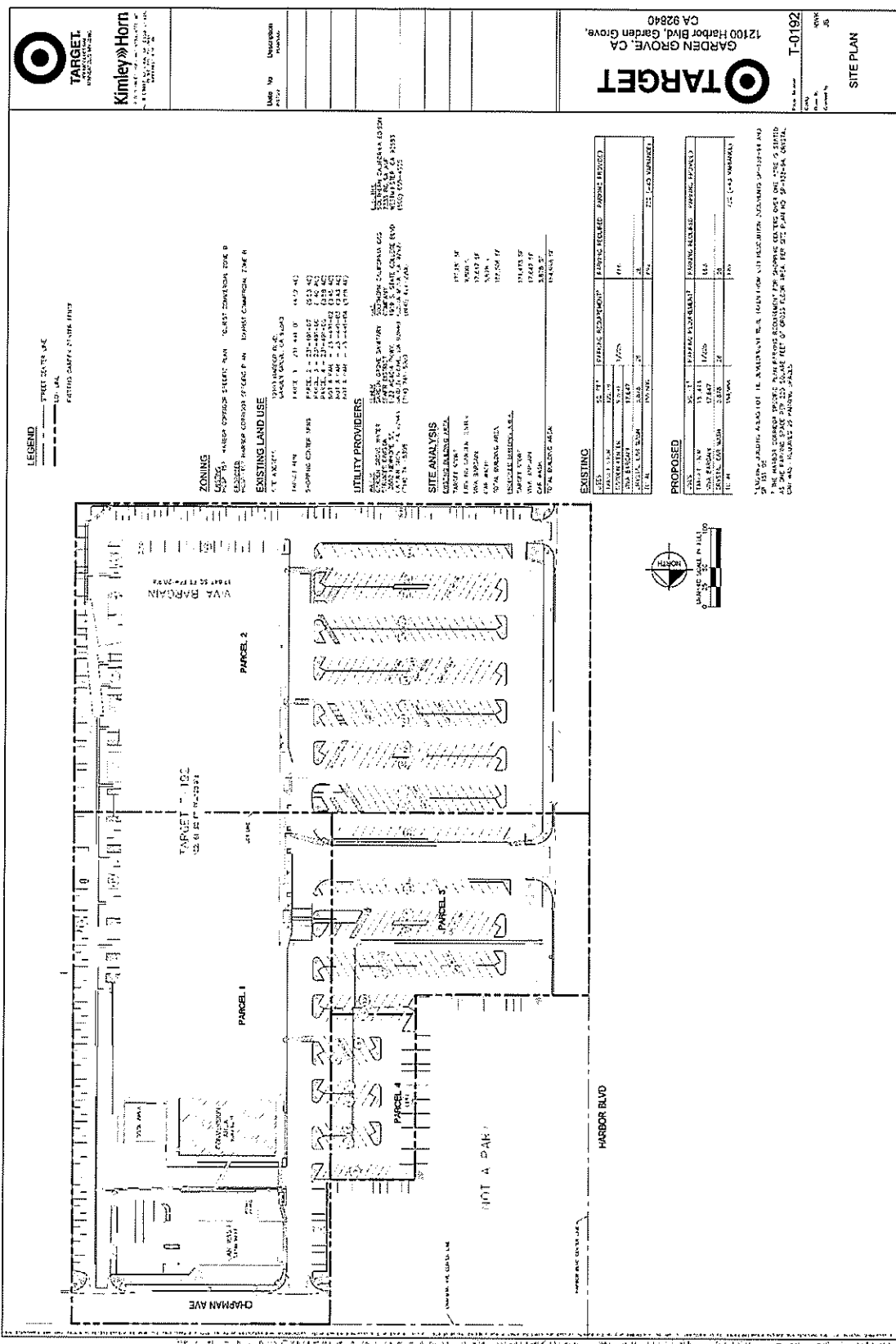


LEE MARINO  
Planning Services Manager



By: Priit Kaskla  
Assistant Planner

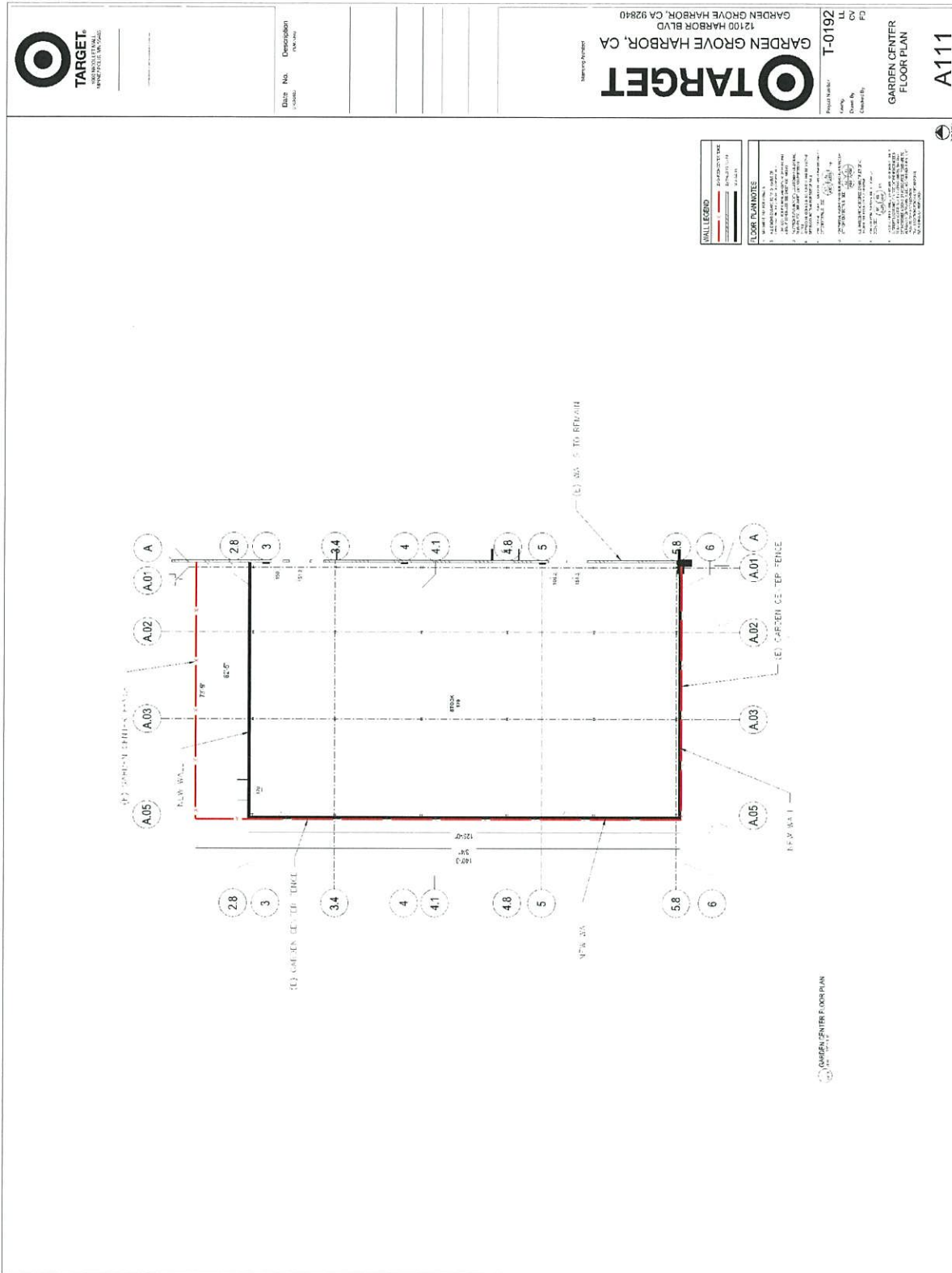




**TARGET**  
GARDEN GROVE, CA 92840  
12100 Harbor Blvd, Garden Grove, CA 92840



**SITE PLAN**  
Project No. T-0192  
Scale: As Shown



RESOLUTION NO. 5989-20

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-085-2020 FOR PROPERTY LOCATED AT 12100 HARBOR BOULEVARD, ASSESSOR'S PARCEL NO. 231-491-01.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on June 18, 2020, hereby approves Site Plan No. SP-085-2020 for an integrated shopping center located on the southeast corner of Chapman Avenue and Harbor Boulevard, at 12100 Harbor Boulevard, Assessor's Parcel No. 231-491-01.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-085-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Justin Becker of Kimley-Horn and Associates, Inc.
2. The applicant is requesting Site Plan approval to convert 9,292 square feet of an existing garden center structure into stock area for an existing Target retail store.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove Planning Commission hereby determines that this project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines (14 Cal. Code Regs., Section 15301).
4. The property has a General Plan Land Use Designation of International West Mixed Use and is zoned HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial "B"). The site is currently developed with an approximately 12.03-acre integrated shopping center that includes: Target, Crystal Car Wash, and Viva Bargain Center.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by the City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on June 18, 2020, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting on June 18, 2020; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.04.030 are as follows:

FACTS:

The property is an approximately 12.03-acre integrated shopping center on the southeast corner of Chapman Avenue and Harbor Boulevard, at 12100 Harbor Boulevard. The property has a General Plan Land Use Designation of International West Mixed Use and is zoned HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial “B”). The property is located in a mixed-use area, with commercial developments to the north, south, and west, and residential uses to the east. The property was improved with a department store in 1968, and Target began operation at the site in 1983. In 1995, a new garden center was added.

The applicant is proposing to convert 9,292 square feet of the existing garden center into stock area, and demolish the remaining 508 square feet. The new stock area will be for back-of-house storage, accessible only by employees, and not a part of the store’s customer area. No changes to the parking area, or on-site circulation are proposed. In total, the site is required to provide 689 parking spaces, and the site provides 732 parking spaces. On the exterior, the design of the converted area will match the existing store.

The project has been designed to comply with the development standards of the HCSP-TCB zone, and the Garden Grove Municipal Code, including setbacks, parking, building height, and the minimum lot size requirements.

FINDINGS AND REASONS:

**SITE PLAN**

1. The Site Plan complies with the spirit and intent of the provisions, conditions, and requirements of the General Plan, the Harbor Corridor Specific Plan, the Municipal Code, and other applicable ordinances.

The property has a General Plan Land Use Designation of International West Mixed Use and is zoned HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial “B”). The International West Mixed Use (IW) designation is intended to provide for a mix of uses, including resort, entertainment, retail, hotel, and some higher density residential that are appropriate for a major entertainment and tourism destination. Development shall enliven the street and embody the entertainment/resort theme. The HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial “B”) zone is intended to provide

retail commercial services within two (2) to five (5) miles of the Harbor Boulevard/Chapman Avenue intersection.

A new back-of-house stock area will be converted from an existing garden center structure, subject to the approval of the Site Plan. The proposed project is compatible with the character of the existing shopping center, and the surrounding land uses. The store serves the needs of both tourists, and residents.

The project is designed to comply with the General Plan Land Use Designation, the development standards of the HCSP-TCB zone, and all other applicable ordinances. This includes, but is not limited to, compliance with: setbacks, parking, building height, and the minimum lot size requirements of the zone. The expansion's contemporary design fits with the character of the surrounding tourist and commercial areas.

2. The proposed development does not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and points of vehicular and pedestrian access

There are no proposed changes to the parking lot, or on-site circulation. The new stock area is a conversion of the existing garden center; it is not an expansion of the existing footprint of the building. With no expansion, the existing circulation and access for vehicles and pedestrians is sufficient to support the proposed conversion.

The proposed stock area does not occupy the entirety of the existing garden center, and actually features the demolition of 508 square feet of existing retail area. As such, the parking required for the overall site is reduced by three (3) spaces. Under the proposal, the site is required to provide 689 parking spaces, and 732 spaces are provided.

The proposed development has no major adverse impacts on the on-site facilities, including the parking, circulation, and access.

3. The development, as proposed, will not adversely affect essential public facilities such as streets and alleys, utilities, and drainage channels.

The streets in the area are adequate to accommodate the development. Existing utilities and drainage channels in the area are adequate to accommodate the development. The proposed development will continue to maintain landscaping and proper maintenance of the site, thereby not adversely impacting the area. The Public Works Department has reviewed

the project, and has incorporated all the appropriate conditions of approval to minimize any adverse impacts.

4. The development does have a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The subject development is located in an existing integrated shopping center. The proposed project will be compatible with the rest of the shopping center, as well as the surrounding neighborhood. Architecturally, the conversion has been designed with facades to be aesthetically complimentary with the rest of the shopping center. A variety of colors, materials, and massing help create visual intrigue. Furthermore, the contemporary design is compatible with the nearby hotels, and other tourist/commercial facilities.

The project has been designed in accordance with the HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial "B") development standards. In particular, the project complies with the development standards of the HCSP-TCB zone, including, but not limited to: minimum lot sizes, setbacks, parking, and maximum building height.

The City's Community and Economic Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure physical, functional, and visual compatibility with the project's surroundings.

5. Through the planning and design of buildings and building replacement, the provision of open space landscaping and other site amenities will attain an attractive environment for the occupants of the property.

There are no proposed changes to the parking lot, on-site circulation, or landscaping existing on-site. The new stock area is a conversion of the existing garden center; it is not an expansion of the existing footprint of the building. With no physical expansion, this ensures the site maintains the existing amount of landscaping. Additionally, the design of the building, and other improvements will ensure the building and use are attractive for patrons of the store.



INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan possesses characteristics that would justify the request in accordance with Municipal Code Section No. 9.32.030.3 (Site Plan).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-085-2020.

Adopted this 18th day of June 2020

## **EXHIBIT "A"**

### **Site Plan No. SP-085-2020**

12100 Harbor Boulevard

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval" as prepared by the City Attorney's Office, on the property. Proof of such recordation is required prior to issuance of building permits.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Kimley-Horn and Associates, Inc., the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes to the Conditions of Approval require approval by the Planning Commission.
3. Approval of this Site Plan shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

#### **Engineering Division**

6. To the extent applicable, the applicant shall be subject to Traffic Mitigation Fees, identified in Chapter 9.44 of the Garden Grove Municipal Code, if any, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.

**Public Works Environmental**

7. The applicant shall comply with all applicable Construction Waste Management Plan (CWMP) requirements.

**Water Services Division**

8. If required, a Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter prevention. The landscape system shall also have a RPPD. Any carbonation dispensing equipment shall have a RPPD. Installation shall be per City Standards, and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD tested once a year thereafter by a certified backflow device tester, and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD.

**Building and Safety Division**

9. The project shall comply with the requirements of the 2019 California Building Standards Code.
10. The project shall comply with the path-of-travel requirements per California Building Code (CBC) 11B-202.4.

**Orange County Fire Authority**

11. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to the Fire Master Plan.

**Community and Economic Development Department**

12. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
13. The applicant/property owner shall maintain all existing landscaped areas in a neat and healthy condition. Landscaping maintenance shall include pruning or removal of overgrown weeds and vegetation.
14. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation

- of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
15. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Chapter 8.47 as adopted, except that:
    - a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
    - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in Chapter 8.47 of the Municipal Code.
  16. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, the use of solar or low-emission water heaters, and use of low-sodium parking lot lights, and to ensure compliance with Title 24.
  17. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
  18. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.
  19. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
  20. Building color and material samples shall be submitted to the Planning Division for review and approval prior to issuance of building permits.
  21. All exterior finishes of the new building addition shall match the exterior finishes of the existing building, to ensure architectural compatibility.
  22. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Division. Lighting adjacent to residential properties shall be restricted to low

- decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting.
23. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:
    - a. There shall be no business activities, or storage permitted outside of the building. All business related equipment and material shall be kept inside the building except for loading or unloading purposes.
    - b. Property owners, employees, and business operators shall not store vehicles anywhere on the site.
    - c. All drive aisles on the site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles.
  24. The applicant/property owner shall submit signed letters acknowledging receipt of the decision approving Site Plan No. SP-085-2020, and his/her agreement with all conditions of approval.
  25. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-085-2020. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
  26. In accordance with Garden Grove Municipal Code Sections 9.32.160 and 9.40.070.A, respectively, the rights granted pursuant to Site Plan No. SP-085-2020 shall be valid for a period of one (1) year from the effective date of this approval. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of the Municipal Code, the rights conferred by Site Plan No. SP-085-2020 shall become null and void if the subject development and construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period, and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-085-2020 shall expire if the building permits for the project expire.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

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| <b>AGENDA ITEM NO.:</b> D.3.                             | <b>SITE LOCATION:</b> South side of Garden Grove Boulevard, east of Beach Boulevard, at 8100 Garden Grove Boulevard |
| <b>HEARING DATE:</b> June 18, 2020                       | <b>APN:</b> 096-282-05 & 096-282-09   |
| <b>CASE NO.:</b> Conditional Use Permit No. CUP-188-2020 | <b>GENERAL PLAN:</b> Residential/Commercial Mixed Use 1   |
| <b>APPLICANT:</b> Young Yi Park                          | <b>ZONE:</b> GGMU1 (Garden Grove Boulevard Mixed Use 1)   |
| <b>PROPERTY OWNER:</b> Same as applicant                 | <b>CEQA DETERMINATION:</b> Exempt   |

## **REQUEST:**

The applicant is requesting Conditional Use Permit (CUP) approval to allow the operation of a new trade school, Sierra States University, in an existing 6,765 square foot one-story building. Upon approval and exercise of the subject request, the existing Conditional Use Permit governing the tenant space, CUP-035-2015, shall be revoked, and become null and void.

## **BACKGROUND:**

The subject property is located on the south side of Garden Grove Boulevard, west of Coast Street, east of Beach Boulevard. The property is a 1.37-acre site that is comprised of two (2) parcels held under common ownership, and developed with two single-story buildings. The two (2) buildings form a cohesive development at the rear of the property with a large parking area located in the front property. Each building is 6,765 square feet in gross floor area, and faces the other across an open courtyard, which provides no vehicular access. At the rear of the property is an open space recreation area improved with grass.

The subject property is zoned GGMU1 (Garden Grove Boulevard Mixed Use 1), and has a General Plan Land Use Designation of Residential/Commercial Mixed Use 1. The site abuts a GGMU1 zoned property to the west, GGMU1 and R-3 (Multiple-Family Residential) zoned properties to the east, SR-22 (Garden Grove Freeway) and an R-3 zoned property to the south, and commercial uses across Garden Grove Boulevard, to the north, in the City of Stanton.

On January 6, 2005, the City approved Conditional Use Permit No. CUP-151-05, which allowed the operation of an adult day care facility, New Life Adult Day Health

Care Center. The day care operated out of both buildings. As a part of the application for the day care, multiple property maintenance issues were resolved, the recreational space at the south end of the property was added, the parking lot was re-stripped, and interior fixtures and finishes were upgraded.

On April 22, 2010, the City approved Conditional Use Permit No. CUP-292-10, which allowed the operation of a new religious trade school on the site, Gospel Global University, along with the previously approved adult day care facility operation. The religious trade school operated in the building to the east (Building B), and the adult day care facility operated in the building to the west (Building A).

The adult day care facility, operating in Building A, has been closed since September 7, 2012. On May 21, 2015, the City approved Conditional Use Permit No. CUP-035-2015, to allow the joint operation of a new culinary trade school with the religious trade school, both of which operated solely in Building B. In conjunction with the approval of Conditional Use Permit No. CUP-035-2015, Conditional Use Permit No. CUP-151-05, which allowed the operation of the adult daycare center in Building A, was revoked. In 2019, the current applicant took over operations of the trade school. Also in 2019, the culinary school ceased operations, leaving half of Building B unoccupied.

The applicant is now requesting Conditional Use Permit approval to allow the operation of their trade school in the entirety of Building B. As part of this request, and to facilitate the approval of the new trade school CUP, the City has therefore requested that Conditional Use Permit No. CUP-035-2015, which formerly allowed the joint operation of a religious trade school and a culinary school, be revoked.

### **DISCUSSION:**

#### **CONDITIONAL USE PERMIT:**

Sierra States University began operation in 2002 at their location in Los Angeles. The school provides both in-person and on-line classes. The subject proposal would be the school's second physical campus. Their Los Angeles campus would serve as their primary campus, and the Garden Grove location as a satellite campus.

The school proposes to operate from 9:30 a.m. to 9:30 p.m., Monday through Friday. Classes will be held three (3) times a day, to avoid class and parking demands overlapping. The proposed school is accredited, including by the California Bureau for Private Postsecondary Education. Offered at the Garden Grove location will be six (6) degree programs. Associate, bachelor's, master's, and doctorate degree programs are offered in business administration, and bachelor's and master's degree programs are offered in computer information systems. The school also specializes in classes and programs for English language learners.

There are two (2) buildings on the subject site. Building A, located on the west side of the property, was previously occupied and used by the adult day care center, which is no longer in operation. Building B, located on the east side of the property, will be occupied by the trade school.

Based on the limited amount of parking available on-site, Building A will remain vacant. The new trade school will operate solely in Building B. The total gross floor area of the building is 6,765 square feet. The instructional areas of the proposed trade school will include both traditional classrooms, as well as vocational rooms (e.g., computer labs) with large, fixed student work stations for instructional use. On the floor plan, the applicant is proposing three (3) vocational rooms, three (3) classrooms, three (3) offices, a storage room, and restrooms.

For a trade school use, the Municipal Code requires one (1) parking space per employee, plus one (1) parking space per three (3) students capacity (based on the maximum occupancy allowable by the Building Code). The Building Code calculates the maximum occupancy of classrooms at one (1) person per twenty (20) square feet, and vocational rooms at one (1) person per fifty (50) square feet, with the actual number of persons (students and instructors) to be significantly less.

The area of the three (3) vocational rooms have areas of 583, 780, and 791 square feet. Based on a maximum allowable occupancy of one (1) person per fifty (50) square feet, the maximum occupancy for all three rooms is 12, 16, and 16 persons, respectively. The area of the three (3) classrooms is 791, 635, and 934 square feet. Based on a maximum allowable occupancy of one (1) person per twenty (20) square feet, the maximum occupancy for these three rooms is 40, 32, and 47 persons, respectively. The total student occupancy is 163 students.

The new trade school is required to provide a minimum of fifty-five (55) parking spaces, per the student capacity. Finally, the applicant has indicated that the new trade school will have nine (9) employees on campus at any one time, which requires nine (9) parking spaces. Therefore, Code requires a minimum of sixty-four (64) parking spaces for the trade school (55+9).

| Parking Calculation                       |             |            |                |
|---|-------------|------------|----------------|
|   | Area        | Occupancy  | Parking Spaces |
| Classrooms                                |             |            |                |
| #111                                      | 791 sq. ft. | 40 persons | 13.3 spaces    |
| #112                                      | 635 sq. ft. | 32 persons | 10.6 spaces    |
| #113                                      | 934 sq. ft. | 47 persons | 15.6 spaces    |
| Vocational Rooms                          |             |            |                |
| #102                                      | 583 sq. ft. | 12 persons | 4 spaces       |
| #109                                      | 780 sq. ft. | 16 persons | 5.3 spaces     |
| #110                                      | 791 sq. ft. | 16 persons | 5.3 spaces     |
| Number of Employees                       | N/A         | N/A        | 9 spaces       |
| Minimum Number of Required Parking Spaces |             |            | 64 spaces      |



As stated above, Code requires the site to provide a minimum of sixty-four (64) parking spaces. The subject site provides a total of sixty-four (64) parking spaces. According to the Municipal Code requirements, there is sufficient parking to accommodate the proposed use. To avoid parking issues on the property, the western building, Building A, will remain vacant and unoccupied as a part of the subject approval. The conditions of approval for the subject project state that in the event there are any parking or traffic circulation issues caused by the subject proposed business, the applicant shall prepare a parking/traffic mitigation plan to the satisfaction of the City.

Pursuant to the California Environmental Quality Act ("CEQA"), the project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines (14 Cal. Code Regs., Section 15301).

The Community and Economic Development Department and the Police Department have reviewed the request, and are supporting the proposal.

**RECOMMENDATION:**

Staff recommends that the Planning Commission:

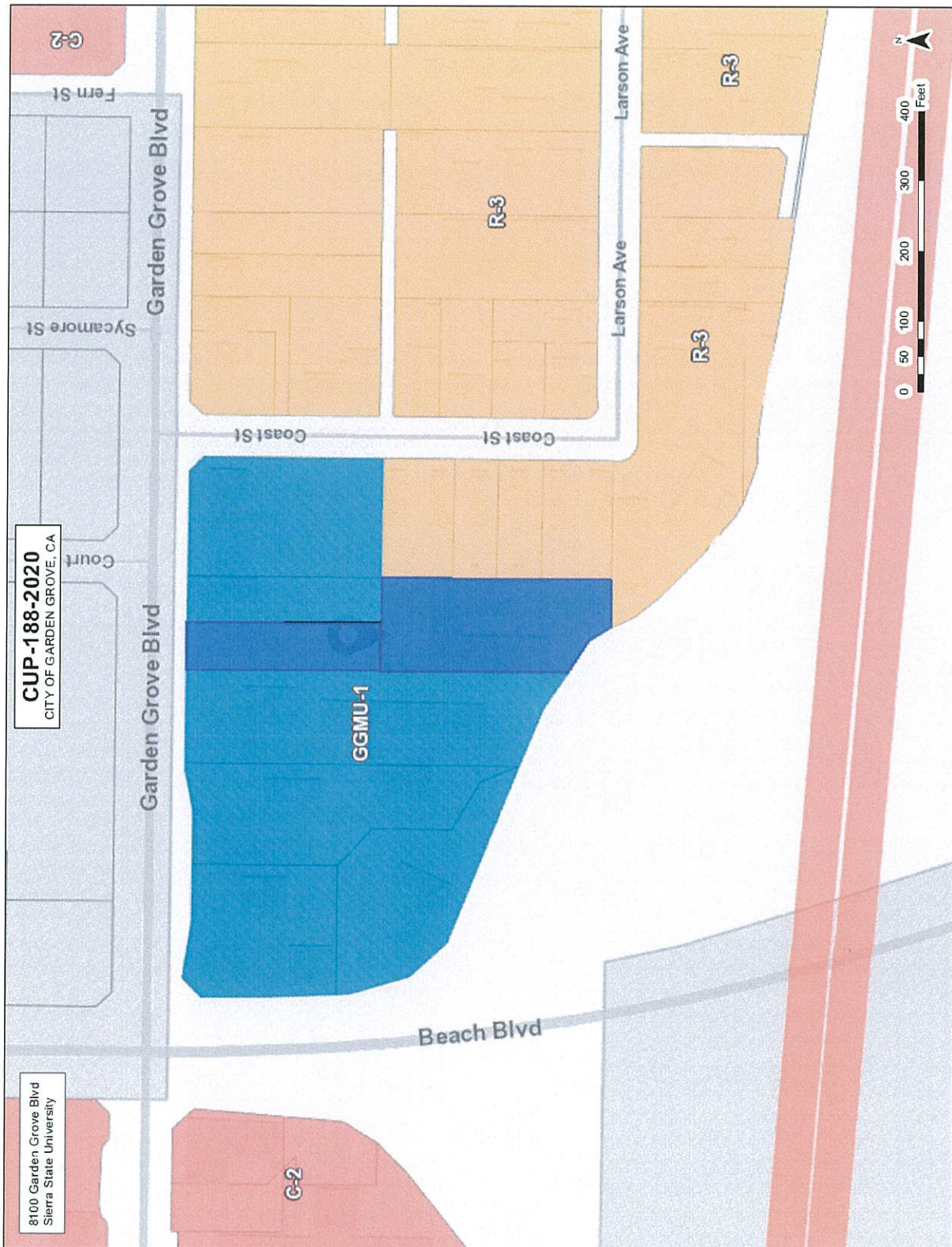
1. Adopt Resolution No. 5990-20 approving Conditional Use Permit No. CUP-188-2020, and revoking Conditional Use Permit No. CUP-035-2015, subject to the recommended conditions of approval.



Lee Marino  
Planning Services Manager



By: Priit Kaskla  
Assistant Planner



HACE

Professional Engineer  
 License No. 45678  
 State of California



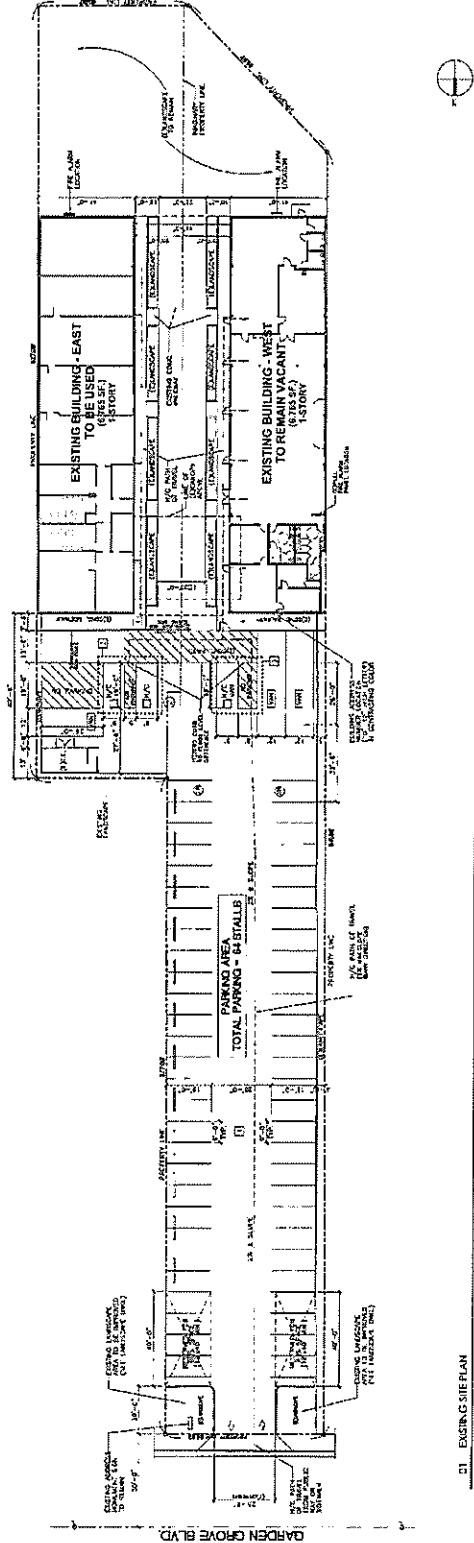
Sierra Stokes University  
 8100 Garden Grove Blvd.  
 Garden Grove, CA 92644  
 Project No. 2020-01

|          |             |
|----------|-------------|
| DATE     | DESCRIPTION |
| 10/15/20 | PRELIMINARY |
| 11/05/20 | REVISED     |
| 12/10/20 | REVISED     |
| 01/15/21 | REVISED     |



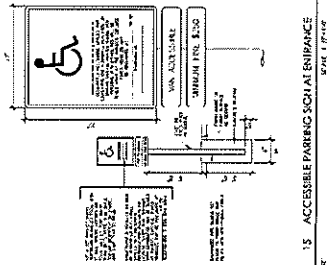
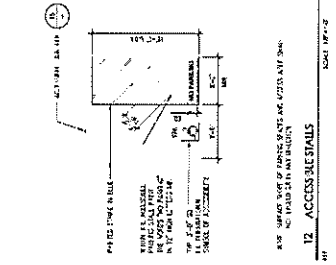
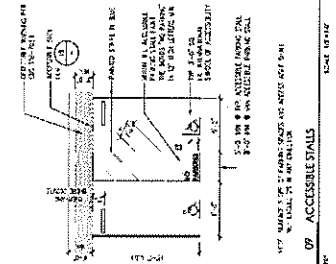
SITE PLAN  
 SCALE: 1/8" = 1'-0"

101



01 EXISTING SITE PLAN  
 SCALE: 1/8" = 1'-0"

- GENERAL NOTES**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF GARDEN GROVE SPECIFICATIONS AND THE CALIFORNIA BUILDING CODE.
  2. THE EXISTING BUILDING - WEST TO REMAIN VACANT FOR HISTORY SHALL BE MAINTAINED IN AS-BUILT CONDITION AND SHALL NOT BE DEMOLISHED OR RECONSTRUCTED.
  3. THE EXISTING BUILDING - EAST TO BE USED FOR HISTORY SHALL BE RECONSTRUCTED TO MEET THE CITY OF GARDEN GROVE SPECIFICATIONS AND THE CALIFORNIA BUILDING CODE.
  4. THE EXISTING BUILDING - EAST TO BE USED FOR HISTORY SHALL BE RECONSTRUCTED TO MEET THE CITY OF GARDEN GROVE SPECIFICATIONS AND THE CALIFORNIA BUILDING CODE.
- LEGEND**
- 1. EXISTING BUILDING - EAST TO BE USED FOR HISTORY
  - 2. EXISTING BUILDING - WEST TO REMAIN VACANT FOR HISTORY
  - 3. PARKING AREA - 64 STALLS
  - 4. TOTAL PARKING - 64 STALLS



HACE

San Jose State University



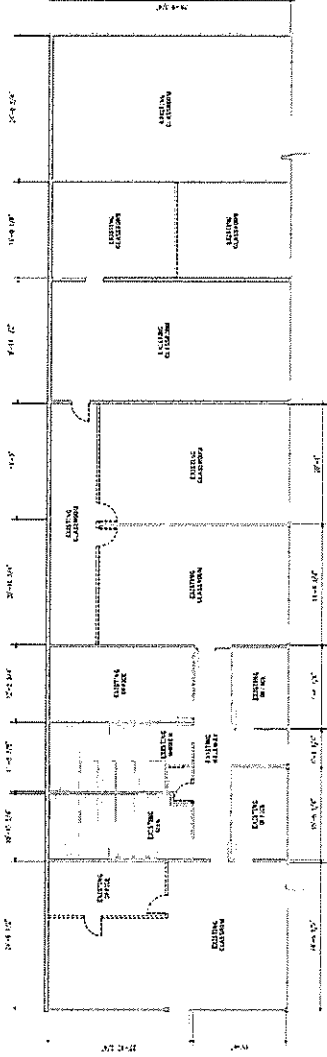
San Jose State University  
8100 Golden Gate Blvd.,  
Golden Gate, CA 97341  
Office of Planning & Design

|              |  |
|--------------|--|
| Project Name |  |
| Project No.  |  |
| Phase        |  |
| Scale        |  |
| Sheet No.    |  |
| Total Sheets |  |

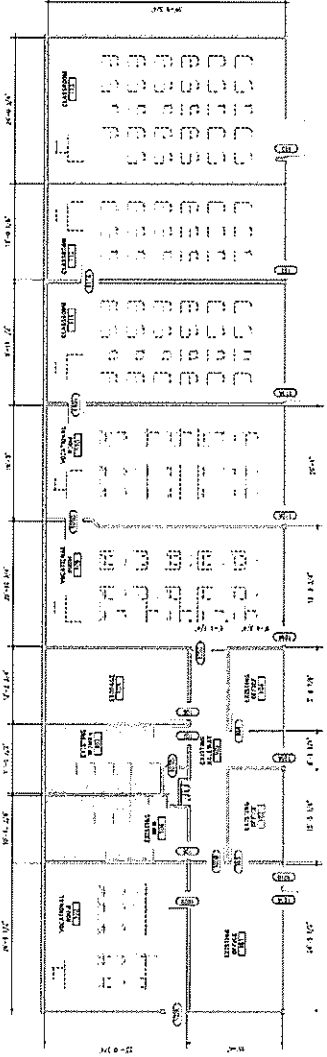


FLOOR PLAN,  
SCHEME  
& DETAILS

A301



01 EXISTING FLOOR PLAN  
SCALE: 1/8" = 1'-0"



03 PROPOSED FLOOR PLAN  
SCALE: 1/8" = 1'-0"

**GENERAL NOTES**

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. FINISHES TO BE DETERMINED BY ARCHITECT.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 CALIFORNIA BUILDING CODE.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA ELECTRICAL CODE.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA MECHANICAL CODE.
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA PLUMBING CODE.
7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA FIRE CODE.
8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA SAFETY CODE.
9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA ACCESSIBILITY STANDARDS.
10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA SUSTAINABILITY STANDARDS.

**LEGEND**

1. EXISTING FLOOR PLAN  
2. PROPOSED FLOOR PLAN

**KEYNOTES**

1. SEE SHEET A302 FOR DETAILS

**GENERAL NOTES**

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. FINISHES TO BE DETERMINED BY ARCHITECT.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 CALIFORNIA BUILDING CODE.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA ELECTRICAL CODE.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA MECHANICAL CODE.
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA PLUMBING CODE.
7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA FIRE CODE.
8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA SAFETY CODE.
9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA ACCESSIBILITY STANDARDS.
10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 CALIFORNIA SUSTAINABILITY STANDARDS.

**LEGEND**

1. EXISTING FLOOR PLAN  
2. PROPOSED FLOOR PLAN

**KEYNOTES**

1. SEE SHEET A302 FOR DETAILS

## RESOLUTION NO. 5990-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-188-2020 AND REVOKING CONDITIONAL USE PERMIT NO. CUP-035-2015, LOCATED AT 8100 GARDEN GROVE BOULEVARD, ASSESSOR'S PARCEL NOS. 096-282-05, AND 096-282-09.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on June 18, 2020, hereby approves Conditional Use Permit No. CUP-188-2020 for a new trade school, and revokes Conditional Use Permit No. CUP-035-2015, for property located on the south side of Garden Grove Boulevard, east of Beach Boulevard, at 8100 Garden Grove Boulevard, Assessor's Parcel Nos. 096-282-05, and 096-282-09.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-188-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Young Yi Park.
2. The applicant is requesting Conditional Use Permit (CUP) approval to allow the operation of a new trade school, Sierra States University, in an existing 6,765 square foot one-story building. Also, a request to revoke Conditional Use Permit No. CUP-035-2015, which previously allowed the operation of a culinary school, and a religious trade school.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the Planning Commission hereby determines that the proposed project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines (14 Cal. Code Reg., Section 15301).
4. The property has a General Plan Land Use designation of Residential/Commercial Mixed Use 1, and is zoned GGMU1 (Garden Grove Boulevard Mixed Use 1). The property is a 1.37-acre site that is comprised of two (2) parcels held under common ownership, and developed with two single-story buildings.
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on June 18, 2020, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of June 18, 2020; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030, are as follows:

FACTS:

The subject property is located on the south side of Garden Grove Boulevard, west of Coast Street, east of Beach Boulevard. The property is a 1.37-acre site that is comprised of two (2) parcels held under common ownership, and developed with two single-story buildings. The two (2) buildings form a cohesive development at the rear of the property with a large parking area located in the front property. Each building is 6,765 square feet in gross floor area, and faces the other across an open courtyard, which provides no vehicular access. At the rear of the property is an open space recreation area improved with grass.

The subject property is zoned GGMU1 (Garden Grove Boulevard Mixed Use 1), and has a General Plan Land Use Designation of Residential/Commercial Mixed Use 1. The site abuts a GGMU1 zoned property to the west, GGMU1 and R-3 (Multiple-Family Residential) zoned properties to the east, SR-22 (Garden Grove Freeway) and an R-3 zoned property to the south, and commercial uses across Garden Grove Boulevard, to the north, in the City of Stanton.

On January 6, 2005, the City approved Conditional Use Permit No. CUP-151-05 which allowed the operation of an adult day care facility, New Life Adult Day Health Care Center.

On April 22, 2010, the City approved Conditional Use Permit No. CUP-292-10, which allowed the operation of a new religious trade school on the site, Gospel Global University, along with the previously approved adult day care facility operation. The adult day care facility, operating in Building A, closed in 2012, according to business license records.

On May 21, 2015, the City approved Conditional Use Permit No. CUP-035-2015, to allow the operation of a culinary trade school in conjunction with the existing religious trade school, both of which operated solely in Building B. In conjunction with approval of Conditional Use Permit No. CUP-035-2015, Conditional Use Permit No. CUP-151-05, which allowed the operation of the adult day care center in Building A, was revoked.

The applicant is now requesting Conditional Use Permit approval to allow the operation of a trade school in the entirety of Building B. As part of this request, and to facilitate the approval of the new trade school CUP, the Conditional Use Permit No. CUP-035-2015, which formerly allowed the joint operation of a religious trade school and a culinary school, will be revoked.

FINDINGS AND REASONS:

All findings for approval of the proposed Conditional Use Permit required under Section 9.32.030.D.4 (Conditional Use Permit) of the Garden Grove Municipal Code can be made.

Conditional Use Permit:

1. The proposed use will be consistent with the City's adopted General Plan.

The property has a General Plan Land Use designation of Residential/Commercial Mixed Use 1, and is zoned GGMU1 (Garden Grove Boulevard Mixed Use 1). The Residential/Commercial Mixed Use 1 designation is intended to provide for a mix of higher density residential and commercial uses. The purpose of the GGMU1 zone is to create and maintain a vibrant boulevard that is both a regional destination, and a place where people can work and live. Trade schools are conditionally permitted uses in the GGMU1 zone. As a commercial use, as well as a regional destination, the proposed use is consistent with the General Plan and Municipal Code, provided that the operation of the facility complies with the conditions of approval.

2. That the requested use at the location proposed will not: adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. Nor will the project interfere with the use, enjoyment, or valuation of the nearby properties, or constitute a menace to public health, safety, or general welfare. The trade school will provide additional educational career opportunities to the community. The school's proposed hours of operation are limited to weekdays, with classes ending no later than 9:30 p.m., minimizing impacts to the surrounding communities. Minor interior alterations are proposed to the building, having very limited impacts to the proposed school's surroundings.

Starting as early as 2010, the existing development has been home to both religious and culinary trade schools, which have integrated well into the surrounding community. The conditions of approval will additionally reduce potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the

persons who work and live in the area, and will minimize any potential impacts to public health, safety, or welfare.

3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

There are no proposed alterations to the site, other than interior partition walls, as a part of the request. The existing development has previously been home to trade schools, which have integrated well into the surrounding community. There have not been any significant issues regarding the site's landscaping, walls, parking, or other development features. Provided the proposed use operates per the Conditions of Approval, then the site, with the existing site improvements, is adequate to accommodate the proposed use within the surrounding area.

4. That the proposed site is adequately served: by highways or streets or sufficient width and improved as necessary to carry the kind and quantity of traffic such as to be generated, and by other public or private service facilities as required.

The site is adequately served by Garden Grove Boulevard with an accessible main driveway providing both ingress and egress. The site's location is near major thoroughfares, including Beach Boulevard, and SR-22 (Garden Grove Freeway). The site is also adequately served by the public service facilities required, such as: gas, electric, water, and sewer facilities.

#### INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit (CUP-188-2020) does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.4 (Conditional Use Permits).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Conditional Use Permit No. CUP-188-2020.

Adopted this 18th day of June, 2020



## **EXHIBIT "A"**

### **Conditional Use Permit No. CUP-188-2020**

8100 Garden Grove Boulevard

#### **CONDITIONS OF APPROVAL**

##### **General Conditions**

1. Each owner of the property shall execute, and the applicant shall record, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, on both parcels comprising the property within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to the project applicant, the owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the applicable City hearing body, except as otherwise provided herein.
3. This Conditional Use Permit only authorizes the operation of a 6,765 square foot trade school, as identified on the site plan and floor plan attached to these Conditions of Approval. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. Minor modifications to the approved site plan, floor plan, and/or these Conditions of Approval may be approved by the Community and Economic Development Department Director, in his or her discretion. Proposed modifications to the approved site plan, floor plan, or Conditions of Approval that would result in the intensification of the project, or create impacts that have not been previously addressed and which are determined by the Community and Economic Development Department Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Water Services Division**

6. If applicable, new water service installations 2" and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3" and larger, shall be installed by developer/owner's contractor per City Standards.
7. Water meters shall be located within the City right-of-way. Fire services and large water services 3" and larger, shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by approved Public Works inspection.
8. If applicable, a Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.
9. Any new or existing water valve located within a new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
10. The City shall determine if existing water services(s) is/are usable and meets current City Standards. If applicable, any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
11. Any alterations or a new fire service shall have above-ground backflow device, with a double-check valve assembly per City standard B-773. The device shall be tested immediately after installation, and once a year thereafter by a certified backflow device tester, and the results to be submitted to Public Works, Water Services Division. The device shall be on private property, and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Services Division.

12. If applicable, water meters and boxes shall be installed by City forces upon payment of applicable fees, and after new water system (including water services) passes all bacteriological and pressure tests.
13. The location and number of fire hydrants shall be as required by the Water Services Division and the Orange County Fire Authority.

**Sewer Division**

14. If needed, owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" minimum diameter, extra strength VCP with wedgelock joints.
15. The applicant shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete. Only one sewer lateral per lot is allowed.

**Building and Safety Division**

16. The applicant shall comply with the 2019 California Building Standards Code (2019 CBC).
17. The applicant shall comply with all applicable accessible path-of-travel requirements, per Chapter 11B of the 2019 CBC.
18. The applicant shall provide a minimum of 5% accessible seating in each room.

**Engineering Division**

19. To the extent applicable, the applicant shall be subject to Traffic Mitigation Fees, identified in Chapter 9.44 of the Garden Grove Municipal Code, if any, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.

**Police Department**

20. There shall be no gaming tables or gaming machines, as outlined in City Code Sections 8.20.010 and 8.20.050, on the premises at any time.

21. There shall be no customers or patrons in or about the premises when the establishment is closed.
22. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation up to \$1,000 pursuant to GGMC 1.22.010(a).

**Community and Economic Development Department**

23. The hours of operation for the trade school shall be permitted from 9:30 a.m. to 9:30 p.m., Monday through Friday.
24. The trade school shall maintain a maximum student occupancy of 164 students, according to California Building Code, and a maximum of nine (9) employees at any one time.
25. There shall be a minimum of sixty-four (64) parking spaces provided on-site.
26. The trade school shall operate only from Building B, located on the east side of the property. Building A, on the west side of the property, shall not be occupied, and shall remain vacant. This will ensure that sufficient parking is provided to accommodate trade school. Should the applicant propose a new use to occupy Building A in the future, the parking situation, and any other applicable Code provisions, will be reviewed and addressed in a manner meeting the requirements of the Municipal Code.
27. The applicant shall devise and implement a plan in the event the site cannot accommodate the parking demand for the trade school, at any given time, which causes a nuisance, hindrance, and/or problem with both on-site and/or off-site parking and circulation. The applicant shall submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but not be limited to: reducing the hours of operation; staggering class times; instituting an off-site parking arrangement; having on-site parking control personnel; and/or other alternatives that may be deemed applicable to the situation. If the City deems such action is necessary to address parking and circulation problems, such action shall be required within 30 days of written notice. Failure to take appropriate action may result in the City restricting the overall use of the facility or revoking Conditional Use Permit No. CUP-188-2020.
28. No outside storage or displays shall be permitted at any time.

29. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the entrance, and shall also be visible to the public.
30. There shall be no deliveries to or from the premises before 7:00 a.m. and after 10:00 p.m., seven days a week.
31. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
32. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be at least once per week, however, if additional pick-ups are needed to accommodate the uses on the site, the property owner shall increase the number of pick-ups as required.
33. The appropriate building permits shall be obtained for any proposed construction.
34. There shall be no uses or activities of an adult-oriented nature permitted on the premises as outlined in City Code Section 9.08.070.
35. Litter shall be removed daily from the premises, including adjacent public sidewalks and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
36. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
37. All activities associated with the trade school shall be conducted within a fully enclosed building.

38. There shall be no outdoor activities conducted on the premises without approval of a Special Event Permit or Community Event Permit.
39. No area of the premises may be rented out, used for private parties, or for day care services, at any time.
40. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
41. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
42. The applicant shall be responsible for providing adequate parking area lighting in compliance with City regulations. Lighting in the parking area shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate adjacent properties.
43. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.
44. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
45. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort.
46. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
47. A copy of the resolution and the conditions of approval for Conditional Use Permit No. CUP-188-2020 shall be kept on the premises at all times.

48. The permittee shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-188-2020 and his/her agreement with all conditions of the approval.
49. If deemed necessary by the Community and Economic Development Director, the Conditional Use Permit may be reviewed within one year from the date of this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.
50. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Conditional Use Permit No. CUP-188-2020. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
51. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Conditional Use Permit No. CUP-188-2020 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.
52. The Conditional Use Permit may be called for review by City staff, the City Council, or Planning Commission, if noise or other complaints are filed and verified as valid by the Code Enforcement office or other City department concerning the violation of approved conditions, the Garden Grove Municipal Code, or any other applicable provisions of law.

**Orange County Fire Authority**

53. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to the Fire Master Plan.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT

|  |   |
|--|---|
| <b>AGENDA ITEM NO.:</b><br><br><b>D.4.</b>   | <b>SITE LOCATION:</b> Northwest corner of Chapman Avenue and Brookhurst Street, at 9691 Chapman Avenue. |
| <b>HEARING DATE:</b> June 18, 2020   | <b>GENERAL PLAN:</b> Residential / Commercial Mixed Use 2 (RC2)   |
| <b>CASE NOS.:</b> Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020 | <b>ZONE:</b> NMU (Neighborhood Mixed Use)   |
| <b>APPLICANT:</b> L & L Kids Entertainment, Inc.   | <b>CEQA DETERMINATION:</b><br>Exempt – CEQA Guidelines § 15301 – Existing Facilities                    |
| <b>PROPERTY OWNER:</b> HGGA Promenade, LP  | <b>APN NO.:</b> 132-402-37  |

**REQUEST:**

The applicant is requesting Interpretation of Use approval to determine the compatibility between an indoor playground with arcade games and the NMU zone classification, and to allow the proposed use subject to a Conditional Use Permit. In conjunction with the request, the applicant also requests Conditional Use Permit approval to allow the operation of a new, 14,000 square foot indoor playground with arcade games and food service, L & L Kids Entertainment, at the Garden Grove Promenade shopping center, and Variance approval to allow the proposed use to deviate from the required minimum distance of 200 feet between an arcade use and a residentially zoned property.

**BACKGROUND:**

The Garden Grove Promenade is an existing, integrated, multi-tenant retail shopping center located at the northwest corner of Chapman Avenue and Brookhurst Street. The shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The shopping center abuts NMU and R-1 (Single-Family Residential) zoned properties to the north; NMU properties, across Brookhurst Street, to the east, and across Chapman Avenue to the south; and O-P (Office Professional) and R-3 (Multiple-Family Residential) zoned properties, across Gilbert Street, to the west. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, and medical offices.

The subject tenant space is 14,000 square feet and is currently vacant. Per City's records, the subject tenant space was previously occupied by a clothing retail store



until its closure in 2019. The applicant is proposing to operate an indoor playground with arcade games and food service, L & L Kids Entertainment, at this location to serve children from 12 months to 12 years old accompanied by their parents or guardians.

Since an indoor playground with arcade games is not a permitted use in the NMU zone, the applicant requests an Interpretation of Use approval to determine the compatibility between an indoor playground with arcade games and the NMU zone, and to allow the proposed use subject to a Conditional Use Permit. The Conditional Use Permit is necessary in order to regulate the operation of the business and to minimize potential impacts to surrounding uses. In conjunction with the request for an Interpretation of Use and a Conditional Use Permit approval, the applicant also requests Variance approval to allow the permitted use to deviate from the required minimum distance of 200 feet between the proposed use and a residential property to the north.

### **DISCUSSION:**

#### **INTERPRETATION OF USE:**

"Indoor playground with arcade games and food service" is not expressly listed as a permitted use in the NMU (Neighborhood Mixed Use) zone, however, the NMU zone does allow recreation, amusement and entertainment type uses such as arcades, movie theaters, billiards and pool halls, and bowling alleys. Among the permitted uses under recreation, amusement, and entertainment type of use, "arcade" is listed as a conditionally permitted use in this zone. The Garden Grove Municipal Code Section 9.04.060.C defines an arcade as a business that contains ten (10) or more amusement devices, including, but not limited to, pinball, air hockey and video games, for use by the public at a fee. The applicant is proposing to operate 34 arcade devices in the subject tenant space in conjunction with the operation of an indoor playground and food service. Although the operation of 34 arcade devices meets the definition of the Municipal Code as an "arcade" use, classifying the L & L Kids Entertainment as an "arcade use" will not correctly describe the nature of its operation. The proposed operation, beside arcade games, provides an indoor recreational playground geared toward young children 12 months to 12 years old accompanied by their parents or guardians. The business also provides a birthday room and a craft room that can be rented out for children's parties. Also, food service will be offered with a variety of food choices such pizzas, hotdogs, churros, chicken wings, fruits and salads. In other words, L & L Kids Entertainment is a combination of children amusement and entertainment type uses that is similar to an arcade use, and food service.

Section 9.18.020.020 of the Garden Grove Municipal Code states that any use not specifically indicated in Table 9.18-1 - Use Regulations for the Mixed Use Zones (land use matrix) is prohibited. Recognizing that it is impossible to anticipate and list every precise type or variation of use, Section 9.32.030.D.7 of the Municipal Code provides an Interpretation of Use process through which a City hearing body may determine that a use that is not expressly listed in the land use matrix, but which is similar to

other uses found to exist in the zone, is permitted in the zone with conditions. In other words, the Planning Commission may approve an Interpretation of Use, determining the proposed use is (1) similar in scale and operational characteristics to other uses permitted in that zone, is (2) consistent with the intent of the General Plan and the zone district, and is (3) compatible with other permitted uses. In this case, the Planning Commission is asked to determine that the proposed "Indoor playground with arcade games" use is similar to an "arcade" use, and will be conditionally permitted in the NMU (Neighborhood Mixed Use) zone, subject to the same standards as an "arcade" use as set forth by Municipal Code Section 9.18.030.040.

The intent of the NMU zone is to allow for a combination of retail and service commercial businesses and moderate-density residential uses. Commercial uses are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding residential development. This zone implements the General Plan Residential/Commercial Mixed Use 2 land use designation. The NMU zone allow various recreation, amusement and entertainment uses, subject to Conditional Use Permit, including arcades, billiards, pool halls, bowling alleys, etc. Other permitted uses in this zone are commercial uses, restaurants, offices, and financial institutions. The proposed business will be located within an existing, integrated shopping center called the Garden Grove Promenade. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, banks, and medical offices.

In evaluating the proposed use and the existing uses, Staff believes that the proposed "indoor playground with arcade games and food service", subject to a Conditional Use Permit, will be compatible with the NMU zone, and with the existing uses within the Promenade shopping center. An indoor playground with arcade games with food service is a recreation-amusement type use that has similar operating characteristics to commercial, entertainment, and service uses currently permitted in the NMU zone. Commercial and entertainment uses in this area are encouraged by the General Plan, and the NMU zoning provisions also allow arcade uses, subject to Conditional Use Permit approval. Because the proposed use is determined to be similar to an arcade use, the proposed business, L & L Kids Entertainment, will be classified as such, and will be subject to the same requirements as an arcade use, including the parking ratio, and the minimum distance requirement of 200 feet from any property zoned for residential use or containing a residential use. Requiring a Conditional Use Permit for the proposed use will allow the City to minimize any potential negative impacts to surrounding uses.

#### CONDITIONAL USE PERMIT:

The L & L Kids Entertainment will occupy a 14,000 square foot, in-line, tenant space in the Garden Grove Promenade shopping center. The proposed business is a recreation-amusement type of use that provides an indoor playground area and arcade games, which is accessible to the public with a fee, and food service. The targeted clientele includes children from 12 months to 12 years old accompanied by their parents or guardians. The business also provides a birthday room that can be

rented out for private birthday parties, and a craft room for children's activities. Food service also will be provided that will include a variety of food choices such as pizza, hotdogs, churros, chicken wings, fruits, and salads.

The proposed floor plan consists of a playground area, an arcade area, a dining area, a kitchen area, a crafting area, a private birthday room, and two (2) restrooms. The playground area will be approximately 7,000 square feet in area, and will be equipped with nine foot (9'-0") tall, soft, indoor playground structures that include, but are not limited to, a variety of slides and tubes, a ball pool, and interactive panels. The arcade area will be 2,605 square feet, and will include 34 individual arcade machines.

The dining area, where food will be served, will be approximately 2,000 square feet, and will consist of an approximately 1,300 square foot open dining area that can accommodate 13 tables; a 509 square foot private birthday room; and a 218 square foot crafting area, and a kitchen area. The main entrance of the operation is located on the south side of the building, and oriented toward Chapman Avenue. Also, there are two (2) doors located at the rear of the tenant space, and they will be limited for delivery purposes only. Since the subject tenant space is currently vacant, all the interior improvements for the proposed indoor playground with arcade games and the food service will be new, and the applicant is required to obtain building permits prior to commencing any of the proposed construction.

The business will operate from 10:00 a.m. to 8:00 p.m., Monday to Thursday, and 10:00 a.m. to 9:00 p.m., Friday to Sunday. Due to close proximity of the business to residential use, the delivery hours will be limited from 7:00 a.m. to 10:00 p.m., seven (7) days a week. All the business related activities will be conducted solely inside the tenant space. No live entertainment and no alcohol sales are proposed.

### Parking

Title 9 of Municipal Code parks arcade uses and food service uses differently. Because the proposed use includes arcade and food service areas, the parking for the project has been determined as follows: The parking ratio of one (1) space per 200 square feet of gross floor area will be applied to the area that is designated for the indoor playground and arcade games, which accounts for 12,000 square feet of the tenant space. The parking ratio of one (1) space or 100 square feet of gross floor area will be applied to the 2,000 square foot food service area where food will be serviced, which includes the open dining area, the service counter area, the private birthday room, the crafting area, and the kitchen. Thus, 60 parking spaces will be required for the indoor playground with arcade games, and 20 parking spaces will be required for the food service area. As a result, a total of 80 parking spaces would be required for the proposed indoor playground with arcade games and food service. Table 1 provides a breakdown of areas, and the parking space required for the proposed use.

**Table 1:** Required parking spaces for L & L Kids Entertainment

| <b>Type of Use</b>                       | <b>Ratio</b>                                  | <b>Areas<br/>(square<br/>footage)</b> | <b>Required<br/>parking<br/>spaces</b> |
|--|---|---------------------------------------|--|
| Indoor<br>playground and<br>arcade games | 1 parking space per<br>200 s.f. of gross area | 12,000                                | 60                                     |
| Food service                             | 1 parking space per<br>100 s.f. of gross area | 2,000                                 | 20                                     |
| <b>Total</b>                             |   | <b>14,000</b>                         | <b>80</b>                              |

Since the subject tenant space was previously occupied by a retail clothing store, which was parked at one (1) parking space per 250 square feet of gross floor area, only 56 parking spaces were required for the previous tenant, while 80 spaces will be required for the proposed use, resulting in a difference of 24 spaces that will be required to support the parking for the new indoor playground with arcade games and food service.

The Garden Grove Promenade is an integrated shopping center with shared parking. Currently, the center provides a total of 1,999 parking spaces that are distributed across the site, and shared among all tenants. Per City's records, when the Regal Garden Grove movie theater remodeled its interior and reduced the number of seats in 2015, the Promenade shopping center only needed 1,500 spaces to accommodate all the existing uses, which resulted in a surplus of 499 parking spaces. Since then, along with the construction of the Pad "D" building approved under Site Plan No. SP-018-2014, and the change in tenants, the parking demand of the center has changed.

The current parking requirement for all current uses in the Promenade shopping center is at 1,582 spaces. Thus, the remaining parking surplus is at 418 spaces. With a surplus of 418 parking spaces available on-site, the Promenade shopping center has sufficient parking to accommodate the added increase of 24 spaces in parking demand for the proposed indoor playground with arcade games and food service use. After the establishment of the proposed indoor playground with arcade games and food service, L & L Kids Entertainment, the anticipated surplus parking counts will remain at 394 spaces.

#### VARIANCE:

Through the Interpretation of Use process, the proposed indoor playground with arcade games is determined to be similar to the "arcade" use, which is a conditionally permitted use as set forth by Municipal Code. Thus, the proposed use will be subject to the same conditions for an arcade use, which includes the requirement that an arcade use to be at least 200 feet away from any property zoned for residential use or containing a residential use.

The subject property abuts NMU and R-1 (Single-Family Residential) zoned properties that are improved with single-family dwellings to the north. The closest distance from the subject tenant space to the residential property to the north is measured at 160 feet. Therefore, the applicant is requesting a Variance approval to deviate from the minimum 200 feet distance separation between an arcade use and a residential property abutting the subject site to the north.

Staff is supportive of the Variance. Proposed reasons supporting the five (5) variance findings required pursuant to State law and Garden Grove Municipal Code Section 9.32.030.D.6 are as follows:

1. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

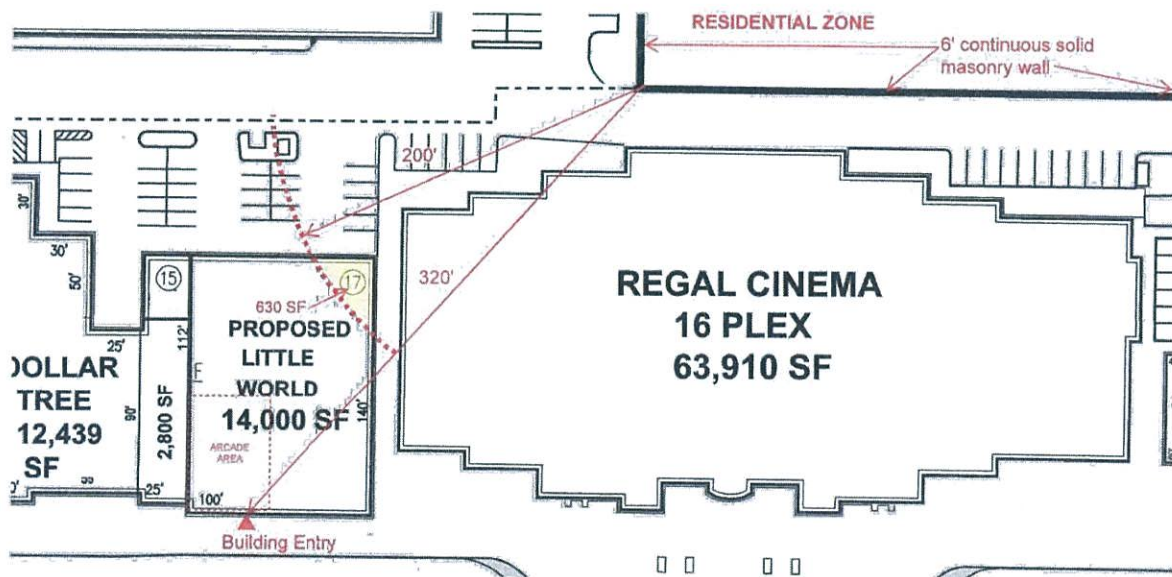
The proposed business is located within an existing, integrated shopping center called the Garden Grove Promenade. The subject shopping center is improved with an inline tenant building located along the northerly property line, and several pad buildings along the southerly, and westerly property lines. The center is large in size, and covers 30.98 acres of land. It spreads from Brookhurst Street to Gilbert Street, and has approximately 4,000 feet of lot frontage. The shopping center is orientated toward Chapman Avenue to the south. The center is accessible from the public right-of-way by multiple driveway approaches located along the southerly, westerly and easterly property lines. In addition, there is an Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, banks, and medical offices. Indeed, the Promenade shopping center is the largest shopping center in the NMU zone, with a variety of uses making it unique from other properties in the same zone and neighborhood.

The applicant is proposing to operate an indoor playground with arcade games and food service, L & L Kids Entertainment, at this location, to serve children from 12 months to 12 years old accompanied by their parents. Although the proposed use is not listed as a permitted use, through the Interpretation of Use, the proposed "indoor playground with arcade games" use is determined as a recreation-amusement type use that has similar operating characteristics to an arcade, subject to Conditional Use Permit, and is compatible with commercial, entertainment, and service uses currently permitted in the existing NMU (Neighborhood Mixed Use) zone.

While the distance from the rear of tenant space to the nearest residential property, adjacent to the north of the project site, is measured at 160 feet, the main entrance of the proposed operation is measured at 320 feet. Only 630 square feet of the tenant space does not meet the required 200-foot distance separation (Figure 1), while the rest of the tenant space complies with the separation requirement. In addition, the main entrance of the business is oriented toward Chapman Avenue to the south, and away from the abutting residential use to the north. The business will be accessible to the public through

the main entrance within the common open area of the shopping center, while the back doors will be limited for delivery purposes only. Currently, the Promenade does not have any direct access to the abutting residential area.

**Figure 1:** The plan, which was provided by the applicant, shows only a portion of 630 square feet of the subject tenant space is within the 200-foot distance separation that was required by the Municipal Code, while the rest of the tenant space complies with such requirement. In addition, the main entrance of the proposed business is 320 feet away from the adjacent residential property to the north.



2. Such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the subject property.

"Indoor playground with arcade games and food services" is not a permitted use in the NMU; however, historically, the City of Garden Grove approved similar operations in commercial plaza/ shopping centers adjacent to multiple residentially zoned properties. In 1984, the City approved an indoor playground with arcade games and food service, Chuck-e-Cheese, within a commercial plaza located at 13101 Harbor Boulevard. The property directly abuts properties that are improved with single-family dwellings and multi-family apartments to the west. The distance from Chuck-e-Cheese to these residential properties is approximately 30 feet. The Chuck-e-Cheese's main entrance is oriented toward Harbor Boulevard, to the east, and away from all the residential properties to the west. The business is accessible to the public through the main entrance only, while the back door is limited for delivery purposes only. Since the establishment of Chuck-e-Cheese, the City has not received complaints for noise or disturbances.

Similar to Chuck-e-Cheese, in 2016, the City of Garden Grove approved the Conditional Use Permit No. CUP-063-2016 to allow operation of a 9,454 square foot indoor playground with arcade games and food service, Nickel! Nickel!, at 12827 Harbor Boulevard #G-2, located in an integrated shopping center, Harbor Town and Country. The Harbor Town and Country also has a similar configuration as the Garden Grove Promenade. The Harbor Town and Country shopping center abuts a multi-family apartment complex called Arbor Glen Apartments. The distance from Nickel! Nickel! to the nearest apartment building is approximately 100 feet. The Nickel! Nickel! entrance is oriented toward Harbor Boulevard, and away from the apartment building. Since the approval of the CUP-063-2016, Nickel! Nickel! has provided an additional amenity to the surrounding neighborhood, and no major incidences or major disturbance to the abutting area have been reported the City.

The proposed indoor playground with arcade games and food service, L & L Entertainment, is determined to be compatible to the development pattern of the Promenade shopping center. Also, the proposed use is similar to Chuck-e-Cheese and Nickel! Nickel!, and will not have significant impact to the adjacent residential properties. Since "indoor playground with arcade games and food service use" is subject to a Conditional Use Permit, all appropriate conditions of approval will be incorporated to minimize impacts to adjacent properties. Provided the conditions of approval are adhered to for the life of the project, the proposed use will not adversely affect the surrounding area or any abutting sensitive uses. Therefore, approval of the Variance No. V-031-2020 will allow the applicant to enjoy a substantial property right possessed by other property owners located in other similar properties in the City, and other similarly-zoned properties throughout the City. Therefore, the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the City with similar development characteristics, but which are denied to the subject property.

3. The granting of a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The proposed indoor playground with arcade games and food service will be located within an existing Garden Grove Promenade shopping center. Through the Interpretation of Use, the proposed use is determined to be similar to an "arcade" use that is conditionally permitted in the NMU zone, subject to the same requirements set forth by the Municipal Code. The proposed use will occupy an existing 14,000 square foot, vacant tenant space in the Promenade shopping center. The proposed floor plan consists of a playground area, an arcade area, a dining area, a kitchen area, a crafting area, a private birthday room, and two (2) restrooms. The playground area will be approximately 7,000 square feet, and will be equipped with a nine feet (9'-0") tall, soft, indoor playground structure that includes, but is not limited to, a variety of slides and tubes, a ball pool, and interactive panels. The arcade area will be 2,605 square foot in area, and will accommodate 34 individual arcade machines. The dining area will be

approximately 2,000 square feet in size, and will consist of the area where food will be served, including an open dining area that can accommodate 13 tables and a service counter, a birthday room, a craft room, and a kitchen area. Since the subject tenant space is currently vacant, all the interior improvements for the proposed indoor playground with arcade games and food service will be new, and the applicant is required to obtain building permits before commencing any of the proposed construction.

While the distance from the rear of tenant space to the nearest residential property, adjacent to the north of the project site, is measured at 160 feet, the main entrance of the proposed operation is measured at 320 feet. Only 630 square feet of the tenant space does not meet the required 200 foot distance separation, while rest of the tenant space complies with the separation requirement. In addition, the main entrance of the business is oriented toward Chapman Avenue to the south, and away from the abutting residential use to the north. The business will be accessible to the public through the main entrance within the common open area of the shopping center, while the back doors will be limited for delivery purposes only. Currently, the Promenade does not have any direct access to the abutting residential area.

The business will operate from 10:00 a.m. to 8:00 p.m., Monday to Thursday, and 10:00 a.m. to 9:00 p.m., Friday to Sunday. No live entertainment and no alcoholic sales are proposed. There are two (2) doors, located at the rear of the tenant spaces that will be reserved for delivery purposes only. With the exception of the minimum 200 foot distance from a residential property, the proposed indoor playground with arcade games and food service meets all other requirements set forth by the Municipal Code. Provided the project complies with the Conditions of Approval, the granting of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

4. The granting of such Variance will not adversely affect the City's General Plan.

The proposed Variance request will not cause an adverse effect on the City's General Plan since the Municipal Code is a tool used to implement the goals of the General Plan. Approval of the Variance request is consistent with several goals set forth in the General Plan. Goal LU-4 of the General Plan seeks to develop uses that are compatible with one another, while Goal ED-2 encourages new businesses, while supporting and assisting those already located within Garden Grove. The proposed indoor playground with arcades games and food service is not only considered compatible with the existing zoning district and existing uses within the Promenade shopping center, but will also provide new services that could not be found in surrounding neighborhood. Thus, the granting of such Variance will not adversely affect the City's General Plan.

5. That approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations



upon other properties in the vicinity and zone in which the subject property is situated.

The proposed indoor playground with arcade games and food service is a similar operation to Chuck-e-Cheese and Nickle! Nickle!, also located in commercial plaza/shopping centers adjacent to multiple residentially zoned properties. Both Chuck-e-Cheese and Nickle! Nickle! have the same operating characteristics as the proposed business. The main entrances of the Chuck-e-Cheese and Nickle! Nickle! are oriented toward the street and away from the adjacent residential property. While Chuck-e-Cheese is measured at 30 feet away from the adjacent residential use to the west, Nickle! Nickle! is about 100 feet away from the adjacent residentially zoned property to the north.

The Variance is necessary to allow a deviation from the minimum distance between an arcade use and residential zoned properties. In this case, only a small portion of the subject tenant space is measured at 160 feet to the nearest residential property, the main entrance of the business is measured at 300 feet from the nearest residential property. In addition, the proposed business; main entrance is oriented toward Chapman Avenue and away from the nearest adjacent residential property. Considering that all activities will be conducted solely within the enclosed subject tenant space, the proposed use will have minimal impact on the adjacent sensitive uses. Thus, approval of the proposed Variance will allow the applicant to enjoy a substantial property right possessed by other property owners located in other similar properties in the immediate vicinity, within the same zone, and other similarly-zoned properties throughout the City. The approval of the Variance is also subject to several conditions of approval intended to mitigate potential impacts to neighboring businesses and properties.

Further, pursuant to Condition of Approval No. 2, the rights granted the applicant pursuant to the Variance shall continue in effect for only so long as the use authorized and contemplated by Interpretation of Use No. IOU-003-2020 and Conditional Use Permit No. CUP-187-2020 continues to exist on the Site. In the event the use rights authorized and contemplated by Interpretation of Use No. IOU-003-2020 and Conditional Use Permit No. CUP-187-2020 are not exercised, or the use is abandoned and not re-established, the Variance will cease to be effective or grant the applicant any rights to use the property in a manner inconsistent with the then-currently applicable development standards.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed development is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA's Class 1 categorical exemption for Existing Facilities (CEQA Guidelines 15301). CEQA's Class 1 exemption applies to the operation, permitting, or minor alteration of existing structures. The applicant proposes to operate a new indoor playground with arcade games and food service in an existing, 14,000 square foot tenant space, in an existing shopping center called the Garden Grove Promenade. The existing tenant space was previously used as a retail store.

The former and propose new business located within the existing integrated shopping center have similar operating impacts; therefore, the proposed new business and related tenant improvements are not a significant expansion of the previous use. The proposed new use of the tenant space does not represent a significant expansion in the type. All the improvements will be new, and require a Building permit. No exterior improvement is included in the proposal. The project will not have significant impact on the existing site and to the surrounding area; thus, it is exempt from CEQA.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

- Adopt Resolution No. 5991-20 approving Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020, subject to the recommended Conditions of Approval.



Lee Marino  
Planning Services Manager

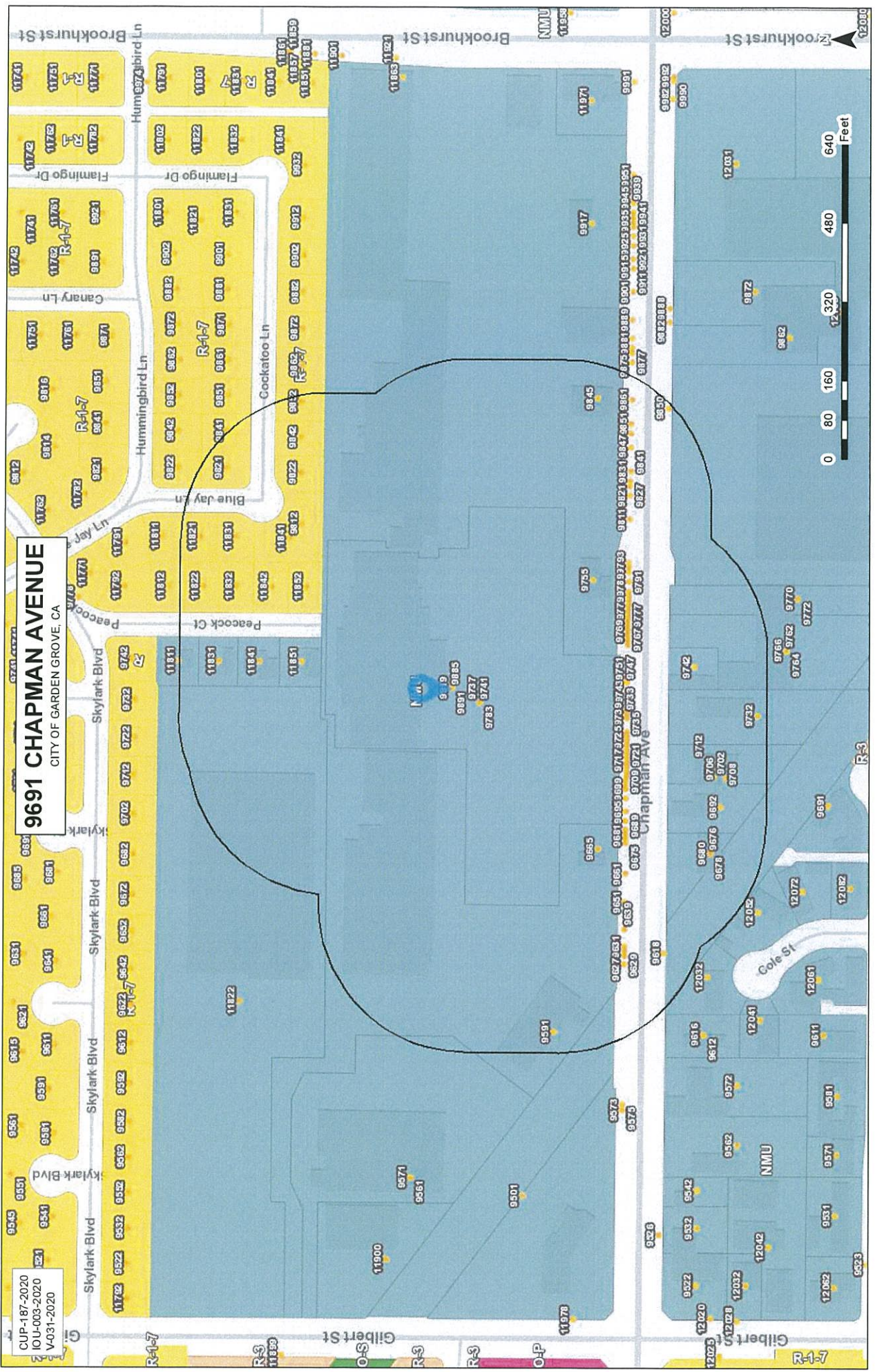


By: Huong Ly  
Assistant Planner

# 9691 CHAPMAN AVENUE

CITY OF GARDEN GROVE, CA

CUP-187-2020  
IOU-003-2020  
V-031-2020







**PROMENADE PARKING ANALYSIS**  
3/16/20

The following is a brief history and summary of the parking provisions for The Promenade:

In order to arrive at the correct configuration, we need to start with the 1998 agreement for the addition of the Regal Center to the center. As part of that project, a Shared Parking Study was conducted to determine the parking needs for the center. The study found that the center would need approximately 3,254 spaces. At the time of the agreement, and over the next four years ago, the Regal accommodated 3,254 spaces. As can be seen in that study, by applying the Regal addition, the total number of parking spaces in the center at that time, which included the Regal addition, was 3,254 spaces. The Regal addition was 3,254 spaces. The Regal addition was 3,254 spaces. The Regal addition was 3,254 spaces.

In 2016, we were asked to re-evaluate the parking provisions for the center. At that time, we conducted a parking study and found that the center would need approximately 3,254 spaces. The Regal addition was 3,254 spaces. The Regal addition was 3,254 spaces. The Regal addition was 3,254 spaces.

In 2019, we were asked to re-evaluate the parking provisions for the center. At that time, we conducted a parking study and found that the center would need approximately 3,254 spaces. The Regal addition was 3,254 spaces. The Regal addition was 3,254 spaces. The Regal addition was 3,254 spaces.

**PROMENADE PARKING ANALYSIS**  
3/16/20

| SPACE ADDRESS | AREA      | EXISTING SPACES | NEW SPACES | CHANGE |
|---------------|-----------|-----------------|------------|--------|
| 5685 Chapman  | 3,375 SF  | 14              | 14         | 0      |
| 5731 Chapman  | 3,200 SF  | 26              | 26         | 0      |
| 9311 Chapman  | 3,400 SF  | 6               | 6          | 0      |
| 9323 Chapman  | 3,200 SF  | 10              | 10         | 0      |
| 9635 Chapman  | 3,200 SF  | 5               | 5          | 0      |
| TOTALS        | 27,985 SF | 131             | 219        | +88    |

**PROMENADE PARKING ANALYSIS**  
4/15/20

**TENANT SPACES CONVERTED TO FOOD USES SINCE 2015\***

| SPACE ADDRESS | AREA      | EXISTING SPACES | NEW SPACES | CHANGE |
|---------------|-----------|-----------------|------------|--------|
| 5685 Chapman  | 3,375 SF  | 14              | 14         | 0      |
| 5731 Chapman  | 3,200 SF  | 26              | 26         | 0      |
| 9311 Chapman  | 3,400 SF  | 6               | 6          | 0      |
| 9323 Chapman  | 3,200 SF  | 10              | 10         | 0      |
| 9635 Chapman  | 3,200 SF  | 5               | 5          | 0      |
| TOTALS        | 27,985 SF | 131             | 219        | +88    |

**PARKING SUMMARIES**

**SITE SUMMARY**

| Category               | Value                     |
|------------------------|---------------------------|
| SITE AREA              | 1,349,392 S.F. (30.88 AC) |
| BUILDING AREA          | 346,427 S.F.              |
| PARKING PROVIDED       | 1,552 CARS                |
| PARKING RATIO PROVIDED | 1.15 CARS/1,000 S.F.      |
| PARKING RATIO REQUIRED | 4.0 CARS/1,000 S.F.*      |

**WALMART PARCEL**

| Category         | Value                  |
|------------------|------------------------|
| SITE AREA        | 399,140 S.F. (9.16 AC) |
| BUILDING AREA    | 104,550 S.F.           |
| PARKING PROVIDED | 484 CARS               |
| PARKING RATIO    | 4.73 CARS/1,000 S.F.   |

**TOTALS**

| Category         | Value                     |
|------------------|---------------------------|
| SITE AREA        | 1,748,532 S.F. (40.14 AC) |
| BUILDING AREA    | 450,977 S.F.              |
| PARKING PROVIDED | 1,999 CARS                |
| PARKING RATIO    | 4.41 CARS/1,000 S.F.      |

**Present Project Summary**

(after Regal conversion, parking expansion, and other leasing changes)

\*Note: The Higher-Costs REA requires us to park the highest portion of the center @ 4 cars/1,000 SF minimum.

**PARKING ANALYSIS**

**SITE SUMMARY**

| Category               | Value                     |
|------------------------|---------------------------|
| SITE AREA              | 1,349,392 S.F. (30.88 AC) |
| BUILDING AREA          | 346,427 S.F.              |
| PARKING PROVIDED       | 1,552 CARS                |
| PARKING RATIO PROVIDED | 1.15 CARS/1,000 S.F.      |
| PARKING RATIO REQUIRED | 4.0 CARS/1,000 S.F.*      |

**WALMART PARCEL**

| Category         | Value                  |
|------------------|------------------------|
| SITE AREA        | 399,140 S.F. (9.16 AC) |
| BUILDING AREA    | 104,550 S.F.           |
| PARKING PROVIDED | 484 CARS               |
| PARKING RATIO    | 4.73 CARS/1,000 S.F.   |

**TOTALS**

| Category         | Value                     |
|------------------|---------------------------|
| SITE AREA        | 1,748,532 S.F. (40.14 AC) |
| BUILDING AREA    | 450,977 S.F.              |
| PARKING PROVIDED | 1,999 CARS                |
| PARKING RATIO    | 4.41 CARS/1,000 S.F.      |

**2018 Project Summary**

(before Regal conversion and parking expansion)

\*Note: The Higher-Costs REA requires us to park the highest portion of the center @ 4 cars/1,000 SF minimum.

**PARKING ANALYSIS**

**SITE SUMMARY**

| Category               | Value                     |
|------------------------|---------------------------|
| SITE AREA              | 1,349,392 S.F. (30.88 AC) |
| BUILDING AREA          | 346,427 S.F.              |
| PARKING PROVIDED       | 1,552 CARS                |
| PARKING RATIO PROVIDED | 1.15 CARS/1,000 S.F.      |
| PARKING RATIO REQUIRED | 4.0 CARS/1,000 S.F.*      |

**WALMART PARCEL**

| Category         | Value                  |
|------------------|------------------------|
| SITE AREA        | 399,140 S.F. (9.16 AC) |
| BUILDING AREA    | 104,550 S.F.           |
| PARKING PROVIDED | 484 CARS               |
| PARKING RATIO    | 4.73 CARS/1,000 S.F.   |

**TOTALS**

| Category         | Value                     |
|------------------|---------------------------|
| SITE AREA        | 1,748,532 S.F. (40.14 AC) |
| BUILDING AREA    | 450,977 S.F.              |
| PARKING PROVIDED | 1,999 CARS                |
| PARKING RATIO    | 4.41 CARS/1,000 S.F.      |

**2018 Project Summary**

(before Regal conversion and parking expansion)

\*Note: The Higher-Costs REA requires us to park the highest portion of the center @ 4 cars/1,000 SF minimum.

**PARKING ANALYSIS**

**SITE SUMMARY**

| Category               | Value                     |
|------------------------|---------------------------|
| SITE AREA              | 1,349,392 S.F. (30.88 AC) |
| BUILDING AREA          | 346,427 S.F.              |
| PARKING PROVIDED       | 1,552 CARS                |
| PARKING RATIO PROVIDED | 1.15 CARS/1,000 S.F.      |
| PARKING RATIO REQUIRED | 4.0 CARS/1,000 S.F.*      |

**WALMART PARCEL**

| Category         | Value                  |
|------------------|------------------------|
| SITE AREA        | 399,140 S.F. (9.16 AC) |
| BUILDING AREA    | 104,550 S.F.           |
| PARKING PROVIDED | 484 CARS               |
| PARKING RATIO    | 4.73 CARS/1,000 S.F.   |

**TOTALS**

| Category         | Value                     |
|------------------|---------------------------|
| SITE AREA        | 1,748,532 S.F. (40.14 AC) |
| BUILDING AREA    | 450,977 S.F.              |
| PARKING PROVIDED | 1,999 CARS                |
| PARKING RATIO    | 4.41 CARS/1,000 S.F.      |

**2018 Project Summary**

(before Regal conversion and parking expansion)

\*Note: The Higher-Costs REA requires us to park the highest portion of the center @ 4 cars/1,000 SF minimum.

**PARKING ANALYSIS**

**SITE SUMMARY**

| Category               | Value                     |
|------------------------|---------------------------|
| SITE AREA              | 1,349,392 S.F. (30.88 AC) |
| BUILDING AREA          | 346,427 S.F.              |
| PARKING PROVIDED       | 1,552 CARS                |
| PARKING RATIO PROVIDED | 1.15 CARS/1,000 S.F.      |
| PARKING RATIO REQUIRED | 4.0 CARS/1,000 S.F.*      |

**WALMART PARCEL**

| Category         | Value                  |
|------------------|------------------------|
| SITE AREA        | 399,140 S.F. (9.16 AC) |
| BUILDING AREA    | 104,550 S.F.           |
| PARKING PROVIDED | 484 CARS               |
| PARKING RATIO    | 4.73 CARS/1,000 S.F.   |

**TOTALS**

| Category         | Value                     |
|------------------|---------------------------|
| SITE AREA        | 1,748,532 S.F. (40.14 AC) |
| BUILDING AREA    | 450,977 S.F.              |
| PARKING PROVIDED | 1,999 CARS                |
| PARKING RATIO    | 4.41 CARS/1,000 S.F.      |

**2018 Project Summary**

(before Regal conversion and parking expansion)

\*Note: The Higher-Costs REA requires us to park the highest portion of the center @ 4 cars/1,000 SF minimum.

**CONCEPT 'C'**

**THEATER SEATING MATRIX**

| ACTOR/ACTRESS     | SEATING | PROPOSED SEATS | ACC. SEATS | PERFORMANCE SEATS |
|-------------------|---------|----------------|------------|-------------------|
| ACTOR/ACTRESS 1   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 2   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 3   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 4   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 5   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 6   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 7   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 8   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 9   | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 10  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 11  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 12  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 13  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 14  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 15  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 16  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 17  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 18  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 19  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 20  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 21  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 22  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 23  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 24  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 25  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 26  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 27  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 28  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 29  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 30  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 31  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 32  | 100     | 100            | 100        | 100               |
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| ACTOR/ACTRESS 34  | 100     | 100            | 100        | 100               |
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| ACTOR/ACTRESS 38  | 100     | 100            | 100        | 100               |
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| ACTOR/ACTRESS 41  | 100     | 100            | 100        | 100               |
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| ACTOR/ACTRESS 55  | 100     | 100            | 100        | 100               |
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| ACTOR/ACTRESS 57  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 58  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 59  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 60  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 61  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 62  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 63  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 64  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 65  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 66  | 100     | 100            | 100        | 100               |
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| ACTOR/ACTRESS 71  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 72  | 100     | 100            | 100        | 100               |
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| ACTOR/ACTRESS 75  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 76  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 77  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 78  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 79  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 80  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 81  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 82  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 83  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 84  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 85  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 86  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 87  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 88  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 89  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 90  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 91  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 92  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 93  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 94  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 95  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 96  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 97  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 98  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 99  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 100 | 100     | 100            | 100        | 100               |

**CONCEPT 'C'**

**THEATER SEATING MATRIX**

| ACTOR/ACTRESS    | SEATING | PROPOSED SEATS | ACC. SEATS | PERFORMANCE SEATS |
|------------------|---------|----------------|------------|-------------------|
| ACTOR/ACTRESS 1  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 2  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 3  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 4  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 5  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 6  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 7  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 8  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 9  | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 10 | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 11 | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 12 | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 13 | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 14 | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 15 | 100     | 100            | 100        | 100               |
| ACTOR/ACTRESS 16 | 100</   |                |            |                   |



| DATE         | BY     | DESCRIPTION |
|--------------|--------|-------------|
| FEB 14, 2019 | JR/SMS |             |

FLOOR PLAN

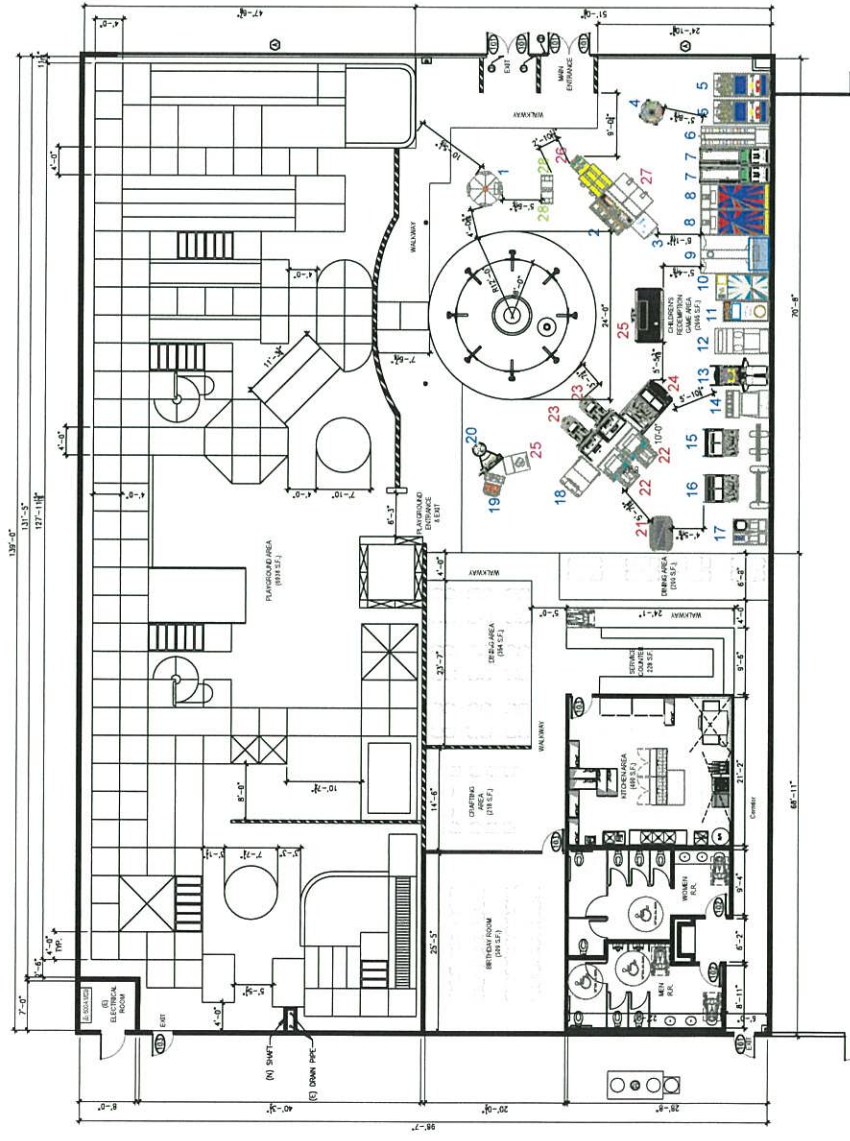
A-1

**WALL LEGEND**

- EXISTING STRUCTURE EXTERIOR WALL TO REMAIN.
- EXISTING NON-BEARING PARTITION WALL.
- EXISTING 1-HR RISE NON-BEARING PARTITION WALL.
- EXISTING ALUMINUM STOREFRONT AND WALL.
- NO CHANGE TO REMAIN.
- NON-BEARING PARTITION WALL.
- 4" REDDIT POINT WALL.

**ACCESSIBLE KEY NOTES**

- ① NICITILE EXIT SIGN W/ WORDS "EXIT" (18-1034.2.1)
- ② ACCESSIBLE ENTRANCE SIGN
- ③ THIS DOOR IS TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED
- ④ NICITILE SIGN (18-1034.1), REF. DOOR SIGN 6/A-6
- ⑤ POST OCCUPANT LOAD SIGN "MAXIMUM OCCUPANCY (MAX - 89 PERSONS)"
- ⑥ NICITILE SIGN - SHOP CHANGING STATION (M1117)
- ⑦ DOOR TYPE: SEE DOOR SCHEDULE ON LOCAL 4/A-6
- ⑧ EXISTING STOREFRONT WINDOWS
- >-----
- ⑨ INDICATED PART OF TRIMMED AND LITES
- ⑩ SEE EQUIPMENT SCHEDULE SHEET A-1



SCALE: 1/8"=1'-0"

FLOOR PLAN

1



**FLOOR AREA & OCCUPANCY LOAD**

| AREA/ROOM                  | GROUP | AREA (SQ FT) | FACTOR | OCCUP. LOAD  |
|----------------------------|-------|--------------|--------|--------------|
| DINING AREA                | 108   | 554.00       | 15     | 33.60        |
| FRON. ELECTRIC SERVICES    | 108   | 48.00        | 200    | 9.60         |
| BAR AREA                   | 108   | 48.00        | 200    | 9.60         |
| BAR/STAGE AREA             | 108   | 246.00       | 15     | 15.36        |
| STAGE AREA                 | 108   | 5,778.00     | 50     | 288.90       |
| OFFICE AREA                | 108   | 1,143.00     | 10     | 114.30       |
| OFFICE AREA                | 108   | 501.00       | 15     | 33.06        |
| RESTROOM                   | 108   | 387.00       | 10     | 38.70        |
| LOBBY                      | 108   | 2,013.00     | 10     | 201.30       |
| WALKWAY & CORRIDOR         | 108   | 13,983.00    | 10     | 1,398.30     |
| <b>TOTAL OCCUPANT LOAD</b> |       |              |        | <b>2,022</b> |

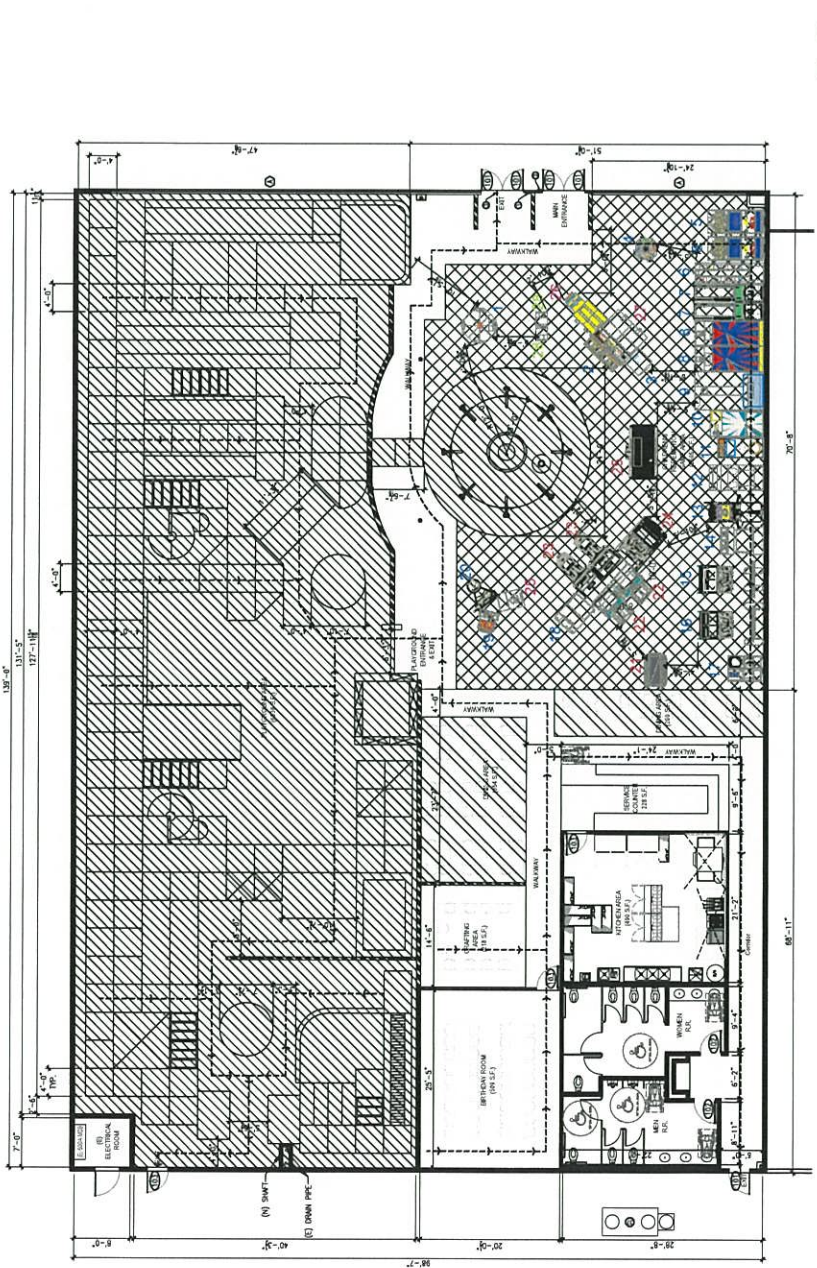
NUMBER OF FIRST FLOOR EXITS: 3  
 NUMBER OF EXITS PROVIDED: 3

**WALL LEGEND**

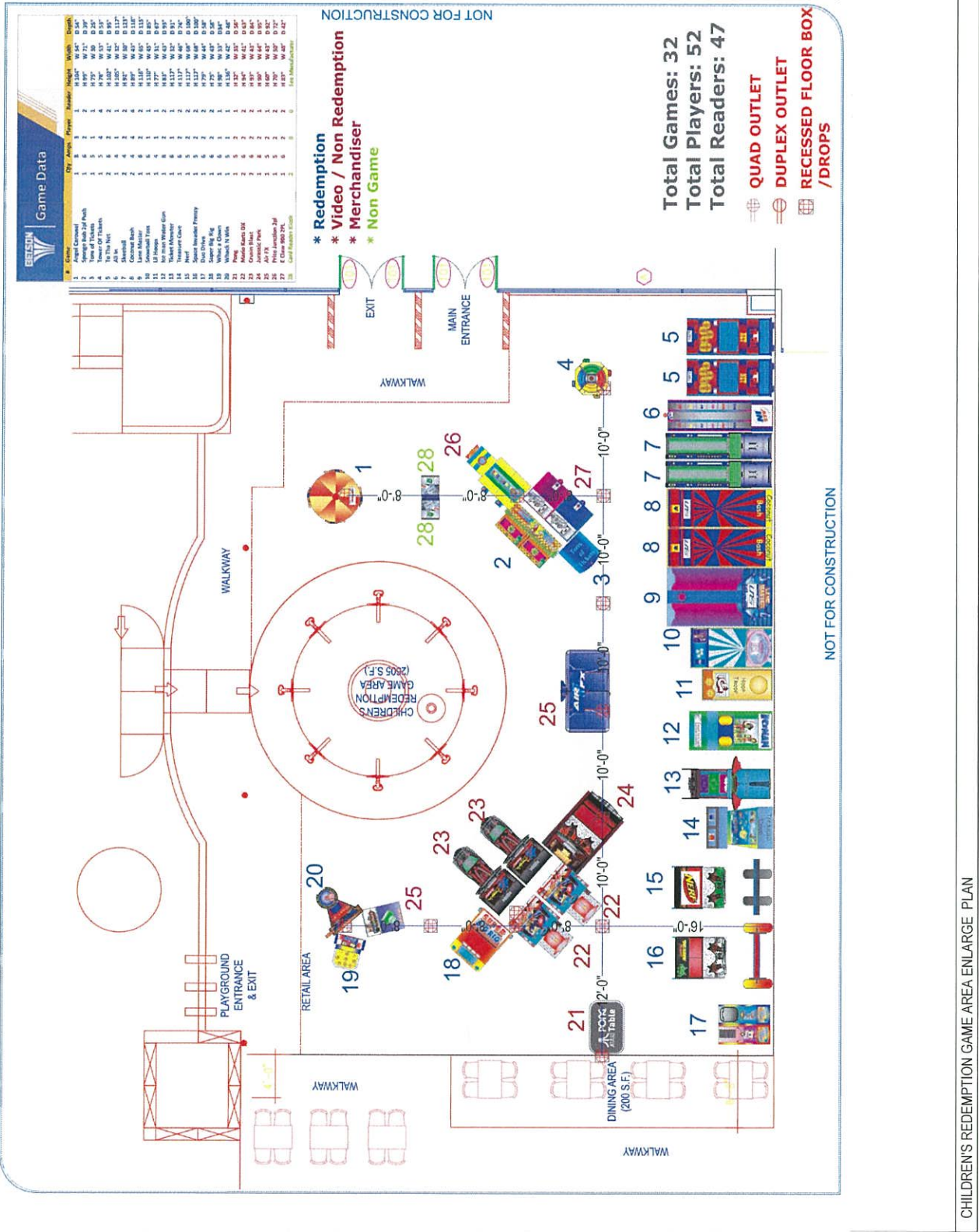
- EXISTING STRUCTURE OUTSIDE WALL TO REMAIN
- EXISTING NON-FIRE-RATING PARTITION WALL, NO CHANGE TO REMAIN
- EXISTING 1-HR RATE NON-FIRE-RATING PARTITION WALL
- EXISTING ALUMINUM STATIONARY AND MW. NO CHANGE TO REMAIN
- NON-FIRE-RATING PARTITION WALL
- 4" HIGHER FORM WALL
- ARCANE AREA
- PLAYGROUND AREA
- DMG AREA

**ACCESSIBLE KEY NOTES**

- 1. HATCH OUT SIGN #7, WORKS "OUT" (118-7034.2-1)
- 2. ACCESSIBLE ENTRANCE SIGN
- 3. THIS DOOR IS TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED
- 4. HATCH SIGN (118-7034.1), REF. DOOR SIGN 6/A-6
- 5. POST OCCUPANT LOAD SIGN "MAXIMUM OCCUPANCY LOAD = 88 PERSONS"
- 6. HATCH SIGN - BUMP CHANGING STATION (R1112)
- 7. DOOR TYPE, SEE DOOR SCHEDULE ON DETAIL 4/A-6
- 8. EXISTING STATIONARY WINDOWS
- 9. INDICATED PART OF TRAVEL AND EXITS
- 10. SEE EQUIPMENT SCHEDULE SHEET A-1



SCALE: 1/8"=1'-0"  
 1



| Rev | Date | Description |
|-----|------|-------------|
| 1   |      |             |



PLAYGROUND 3D RENDERING

|        |   |
|--------|---|
| SCALE  | 1 |
| N.T.S. |   |

21:00:00 2018 project\_3000 2018-005 L&L Kid Entertainment, Garden Grove (A4) View Rendering: Apr 18, 2022 2:34 pm



PLAYGROUND 3D RENDERING

**Client Acknowledgment**  
We warrant that the design information shown on these drawings was prepared by our firm or under the direct supervision and control of a duly licensed professional engineer or architect.

**Bill of Materials**

| Item Number | Photo | Product Name  | Specifications  | Application / Configuration  |
|-------------|-------|---------------|---|------------------------------|
| 1           |       | Grid Floor    | Galvanized Steel, 1/4" x 1/4" x 1/4" grid, 12" x 12" squares.                       | Application: playground deck |
| 2           |       | Climbing Wall | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: climbing wall   |
| 3           |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 4           |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 5           |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 6           |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 7           |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 8           |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 9           |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 10          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 11          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 12          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 13          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 14          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 15          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 16          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 17          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 18          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 19          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |
| 20          |       | Platform Deck | High-density polyethylene (HDPE) with UV stabilizer, 1/2" thick, 12" x 12" squares. | Application: platform deck   |

RESOLUTION NO. 5991-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING INTERPRETATION OF USE NO. IOU-003-2020, CONDITIONAL USE PERMIT NO. CUP-187-2020, AND VARIANCE NO. V-031-2020, FOR A PROPERTY LOCATED ON THE NORTHWEST CORNER OF BROOKHURST STREET AND CHAPMAN AVENUE, AT 9691 CHAPMAN AVENUE, ASSESSOR'S PARCEL NO. 132-402-37

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on June 18, 2020, does hereby approve Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020, for a property located on the northwest corner of Brookhurst Street and Chapman Avenue, at 9691 Chapman Avenue, Assessor's Parcel No. 132-402-37, subject to the Conditions of Approval attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED in the matter of Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by L & L Kids Entertainment, Inc. (The "Applicant")
2. The applicant is requesting Interpretation of Use approval to determine the compatibility between an indoor playground with arcade games and the NMU zone classification, and to allow the proposed use subject to a Conditional Use Permit. In conjunction with the request, the applicant also requests Conditional Use Permit approval to allow the operation of a new, 14,000 square foot indoor playground with arcade games and food service, L & L Kids Entertainment, at the Garden Grove Promenade shopping center, and Variance approval to allow the proposed use to deviate from the required minimum distance of 200 feet between an arcade use and a residentially zoned property.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the Planning Commission hereby determines that the proposed project is categorically exempt from the CEQA pursuant to Section 15301, Existing Facilities, of the CEQA Guidelines (14 Cal. Code Regs., Section §15301).
4. The Garden Grove Promenade shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The subject property is an existing, integrated, multi-tenant retail shopping center located at the northwest corner of Chapman Avenue and Brookhurst Street. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, and medical offices. The subject tenant space is 14,000 square feet in area, and currently vacant.
5. Existing land use, zoning, and General Plan designation of property within the

vicinity of the subject property has been reviewed.

6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on June 18, 2020, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting on June 18, 2020, and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030, are as follows:

FACTS:

The Garden Grove Promenade is an existing, integrated, multi-tenant retail shopping center located at the northwest corner of Chapman Avenue and Brookhurst Street. The shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The shopping center abuts NMU and R-1 (Single-Family Residential) zoned properties to the north; NMU properties, across Brookhurst Street, to the east, and across Chapman Avenue to the south; and O-P (Office Professional) and R-3 (Multiple-Family Residential) zoned properties, across Gilbert Street, to the west. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, and medical offices.

The subject tenant space is 14,000 square feet in area, and is currently vacant. Per City's records, the subject tenant space was previously occupied by a clothing retail store until its closure in 2019. The applicant is proposing to operate an indoor playground with arcade games and food service, L & L Kids Entertainment, at this location to serve a target clientele of children from 12 months to 12 years old accompanied by their parents.

Since "indoor playground with arcade games" is not a permitted use in a NMU zone, the applicant requests Interpretation of Use approval to determine the compatibility between an indoor playground with arcade games and the NMU zone, and to allow the proposed use subject to a Conditional Use Permit. The Conditional Use Permit is necessary in order to regulate the operation of the business and to minimize potential impacts to surrounding uses. In conjunction with the request for an Interpretation of Use and a Conditional Use Permit, the applicant also requests Variance approval to allow the permit use to deviate from the required minimum distance separation of 200 feet between the proposed use and a residentially zoned property to the north.

FINDINGS AND REASONS:INTERPRETATION OF USE

1. The proposed use is similar in scale and operational characteristics to other uses permitted in that zone.

The proposed business is located within an existing, integrated shopping center called the Garden Grove Promenade. The subject property is zoned Neighborhood Mixed Use (NMU). Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, and medical offices. The applicant, L & LL & L Kids Entertainment, proposes to operate an indoor playground with arcade games and food service, to serve children from 12 months to 12 years old accompanied by their parents. The Garden Grove Municipal Code Section 9.04.060.C defines an arcade as a business that contains ten (10) or more amusement devices, including, but not limited to, pinball, air hockey and video games, for use by the public at a fee. The applicant is proposing to operate 34 arcade devices in the subject tenant space in conjunction to the operation of an indoor playground and food service. Although the operation of 34 arcade devices meets the definition of the Municipal Code as an "arcade use", arcade games are not the only services that will be provided by the proposed business at this location. In addition to arcade games, L & L Kids Entertainment also provides a large indoor playground along with an art and crafts area for children's activities, and a private birthday room that can be rented out for children's parties. The proposed use, indeed, consists of different recreation, amusement, and entertainment type uses that are similar to an arcade use and restaurant.

The intent of the NMU zone is to allow for a combination of retail and service commercial businesses and moderate-density residential use. Commercial uses and intensities are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding residential development. This zone implements the General Plan Residential/Commercial Mixed Use 2 land use designation. The allowable recreation, amusement and entertainment uses in the NMU zone include, but are not limited to, arcades, billiards and pool hall, and movie theaters. Other permitted commercial uses also include administrative, professional, and medical offices, retail shops, financial institutions, health clubs, and restaurants. In evaluating the proposed use and existing permitted uses at the subject property, the proposed "indoor playground with arcade games", that is subject to Conditional Use Permit, is a recreation-amusement type use that is compatible with the NMU zone, and with the existing uses within the existing shopping center. Thus, it has similar operating characteristics to an arcade, subject to Conditional Use Permit, and is compatible with commercial, entertainment, and service uses currently permitted in the NMU zone.

2. The proposed use is consistent with the intent of the General Plan and the Zone

District.

The Garden Grove Promenade shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The intent of the NMU zone is to allow for a combination of retail and service commercial businesses and moderate-density residential use. Commercial uses and intensities are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding residential development. This zone implements the General Plan Residential/Commercial Mixed Use 2 land use designation. The allowable recreation, amusement and entertainment uses in the NMU zone include, but are not limited to, arcades, billiards and pool hall, and movie theaters. Other permitted commercial uses also include administrative, professional, and medical offices, retail shops, financial institutions, health clubs, and restaurants. The proposed business will be located within an existing, integrated shopping center called the Garden Grove Promenade. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, banks, and medical offices.

"Indoor playground with arcades games" is not expressly listed as a permitted use in the NMU (Neighborhood Mixed Use) zone. However, "arcades" is listed as a conditionally permitted use in the NMU zone. The Garden Grove Municipal Code Section 9.04.060.C defines an arcade as a business that contains ten (10) or more amusement devices, including, but not limited to, pinball, air hockey and video games, for use by the public at a fee. The business will operate 34 arcade devices in the subject tenant space in conjunction with the operation of an indoor playground and food service. Although the operation of 34 arcade devices meets the definition of the Municipal Code as an "arcade use", arcade games are not the only services that will be provided by the proposed business at this location. In addition to arcade games, L & L Kids Entertainment also provides a large indoor playground, along with an art and crafts area, and a private birthday room that can be rented out for children parties. The proposed use, indeed, is a combination of different recreation, amusement, and entertainment type uses.

Further, the proposed "indoor playground with arcade games" use is consistent with the Garden Grove adopted General Plan. Goal LU-4 of the General Plan seeks to develop uses that are compatible with one another. Goal ED-2 encourages establishment of new businesses, while supporting and assisting those already located within Garden Grove. Not only will the proposed "indoor playground with arcade games" be considered compatible with the NMU zone and existing uses within the Garden Grove Promenade shopping center, the use will provide new services that could not be found in the surrounding neighborhood. Therefore, it is consistent with the goal of the General Plan, and development pattern of the Garden Grove Promenade shopping center.



3. The proposed use is compatible with other permitted uses.

Section 9.18.020.030, Uses Restricted to Indoor, of the Municipal Code allows different recreation/amusement/entertainment type uses, including adult entertainment, arcades, billiards and pool halls, and movie theaters. Within the Garden Grove Promenade shopping center, existing uses include retail stores, a grocery store, restaurants, a movie theater, a fitness center, banks and medical offices. The Promenade, indeed, contains multiple types of use, especially the Garden Grove Regal movie theater, which is one major recreation/entertainment source for local residents.

"Indoor playground with arcades games" is not expressly listed as a permitted use in the NMU (Neighborhood Mixed Use) zone. However, "arcades" is listed as a conditionally permitted use in the NMU zone. The proposed business will operate 34 arcade devices in conjunction with the operation of an indoor playground and food service. Although the operation of 34 arcade devices meets the definition of the Municipal Code as an "arcade use", arcade games are not the only services that will be provided by the proposed business at this location. In addition to arcade games, L & L Kids Entertainment also provides a large indoor playground along with an art and crafts area, and a private birthday room that can be rented out for children's parties. The proposed use, indeed, consists of different recreation, amusement, and entertainment type uses, which is compatible with other permitted uses in the NMU zone and the Promenade shopping center.

#### CONDITIONAL USE PERMIT

1. The proposed use will be consistent with the City's adopted General Plan and Redevelopment Plan.

The Garden Grove Promenade shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). Through the Interpretation of Use, the proposed "indoor playground with arcade games" is compatible with the NMU zone, and is subject to a Conditional Use Permit. Further, the proposed "Indoor playground with arcade games" use is consistent with the Garden Grove adopted General Plan. Goal LU-4 of the General Plan seeks to develop uses that are compatible with one another. Goal ED-2 encourages establishment of new businesses, while supporting and assisting those already located within Garden Grove. Not only is the proposed "indoor playground with arcade games" compatible with existing uses within the Garden Grove Promenade shopping center, the use will provide a new service that cannot be found in the surrounding neighborhood. Therefore, it is consistent with the goal of the General Plan, and development pattern of the Garden Grove Promenade shopping center.

2. The requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare.

The use will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area. The proposed operation of an indoor playground with arcade games and food service is located within an existing shopping center, the Garden Grove Promenade. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, banks, and medical offices. Through the Interpretation of Use process, the proposed use is compatible with the existing NMU zone and existing uses.

Further, the proposed indoor playground with arcade games and food service is providing amusement and entertainment services for children from 12 months to 12 years old accompanied by their parents with a fee. The business will operate from 10:00 a.m. to 8:00 p.m., Monday to Thursday, and 10:00 a.m. to 9:00 p.m., Friday to Sunday. All the related activities will be conducted solely inside the subject tenant space. In addition, no live entertainment or alcohol sales are proposed. The proposed hours of operation are consistent with the operating hours for typical commercial business. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to the live of the project, the use will be harmonious with the persons who work and live in the area.

3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required, in order to integrate such use with the uses in the surrounding area.

The proposed operation is located within the Garden Grove Promenade shopping center that is improved with adequate landscaping, vehicle circulation and on-site parking spaces. The proposed use is a combination of "indoor playground with arcade games" use and "food service" use, the required parking spaces of this use are also a combination of two different uses. Through the Interpretation of Use, the "indoor playground with arcade games" is determined to be similar to "arcade" use; thus, the "indoor playground with arcade games" will have the same parking requirements as "arcade" use. Title 9 of the Municipal Code parks arcade uses at one (1) parking space per 200 square feet of gross floor area, while restaurant establishment or food service will be parked at one (1) parking spaces per 100 square feet of gross floor area. Thus, a total of 80 parking spaces will be required for the proposed use. However, the subject tenant space was previously occupied by a clothing retail store, which was parked at one (1) parking space per 250 square feet of gross floor area. Thus, only 56 parking spaces were required for the previous

use, resulting a difference of 24 spaces that will be required to support the parking for the new indoor playground with arcade games and food service.

Currently, the center provides a total of 1,999 parking spaces that are distributed across the site and shared among all tenants. Per City's records, despite several changes in tenants and construction of new pad building located on the southerly side of the shopping center, along Chapman Avenue, the shopping center maintains a parking surplus of 418 spaces, which will accommodate the required parking for the proposed use. With the operation of the of the proposed indoor playground with arcade games and food services, L & L Kids Entertainment, the anticipated surplus parking counts will remain at 393 spaces. Since the proposed business will occupied an existing, vacant tenant space, with no exterior improvement to the site, the site is adequate in size and shape to accommodate the proposed use.

4. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such as to be generated, and by other public or private service facilities as required.

The site is served by Chapman Avenue and Brookhurst Street, which are fully developed streets that provide adequate traffic circulation and driveway access to serve the site. The site is also sufficiently served by the public service facilities required, such as public utilities: gas, electric, water, and sewer facilities.

#### VARIANCE

1. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

The proposed business is located within an existing, integrated shopping center called the Garden Grove Promenade. The subject shopping center is improved with an inline tenant building located along the northerly property line, and several pad buildings along the southerly, and westerly property lines. The center is large in size, and covers 30.98 acres of land. It spreads from Brookhurst Street to Gilbert Street, and has approximately 4,000 feet of lot frontage. The shopping center is orientated toward Chapman Avenue to the south. The center is accessible from the public right-of-way by multiple driveway approaches located along the southerly, westerly and easterly property lines. In addition, there is an Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, banks, and medical offices. Indeed, the Promenade shopping center is the largest shopping center in the NMU zone, with a variety of uses making it unique from other properties in the same zone and neighborhood.

The applicant is proposing to operate an indoor playground with arcade games and food service, L & L Kids Entertainment, at this location, to serve children from 12

months to 12 years old accompanied by their parents. Although the proposed use is not listed as a permitted use, through the Interpretation of Use, the proposed "indoor playground with arcade games" use is determined as a recreation-amusement type use that has similar operating characteristics to an arcade, subject to Conditional Use Permit, and is compatible with commercial, entertainment, and service uses currently permitted in the existing NMU (Neighborhood Mixed Use) zone.

While the distance from the rear of tenant space to the nearest residential property, adjacent to the north of the project site, is measured at 160 feet, the main entrance of the proposed operation is measured at 320 feet. Only 630 square feet of the tenant space does not meet the required 200-foot distance separation, while the rest of the tenant space complies with the separation requirement. In addition, the main entrance of the business is oriented toward Chapman Avenue to the south, and away from the abutting residential use to the north. The business will be accessible to the public through the main entrance within the common open area of the shopping center, while the back doors will be limited for delivery purposes only. Currently, the Promenade does not have any direct access to the abutting residential area.

2. Such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the subject property.

"Indoor playground with arcade games and food services" is not a permitted use in the NMU; however, historically, the City of Garden Grove approved similar operations in commercial plaza/ shopping centers adjacent to multiple residentially zoned properties. In 1984, the City approved an indoor playground with arcade games and food service, Chuck-e-Cheese, within a commercial plaza located at 13101 Harbor Boulevard. The property directly abuts properties that are improved with single-family dwellings and multi-family apartments to the west. The distance from Chuck-e-Cheese to these residential properties is approximately 30 feet. The Chuck-e-Cheese's main entrance is oriented toward Harbor Boulevard, to the east, and away from all the residential properties to the west. The business is accessible to the public through the main entrance only, while the back door is limited for delivery purposes only. Since the establishment of Chuck-e-Cheese, the City has not received complaints for noise or disturbances.

Similar to Chuck-e-Cheese, in 2016, the City of Garden Grove approved the Conditional Use Permit No. CUP-063-2016 to allow operation of a 9,454 square foot indoor playground with arcade games and food service, Nickel! Nickel!, at 12827 Harbor Boulevard #G-2, located in an integrated shopping center, Harbor Town and Country. The Harbor Town and Country also has a similar configuration as the Garden Grove Promenade. The Harbor Town and Country shopping center abuts a

multi-family apartment complex called Arbor Glen Apartments. The distance from Nickle! Nickle! to the nearest apartment building is approximately 100 feet. The Nickle! Nickle! entrance is oriented toward Harbor Boulevard, and away from the apartment building. Since the approval of the CUP-063-2016, Nickle! Nickle! has provided an additional amenity to the surrounding neighborhood, and no major incidences or major disturbance to the abutting area have been reported the City.

The proposed indoor playground with arcade games and food service, L & L Entertainment, is determined to be compatible to the development pattern of the Promenade shopping center. Also, the proposed use is similar to Chuck-e-Cheese and Nickle! Nickle!, and will not have significant impact to the adjacent residential properties. Since "indoor playground with arcade games and food service use" is subject to a Conditional Use Permit, all appropriate conditions of approval will be incorporated to minimize impacts to adjacent properties. Provided the conditions of approval are adhered to for the life of the project, the proposed use will not adversely affect the surrounding area or any abutting sensitive uses. Therefore, approval of the Variance No. V-031-2020 will allow the applicant to enjoy a substantial property right possessed by other property owners located in other similar properties in the City, and other similarly-zoned properties throughout the City. Therefore, the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the City with similar development characteristics, but which are denied to the subject property.

3. The granting of a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The proposed indoor playground with arcade games and food service will be located within an existing Garden Grove Promenade shopping center. Through the Interpretation of Use, the proposed use is determined to be similar to an "arcade" use that is conditionally permitted in the NMU zone, subject to the same requirements set forth by the Municipal Code. The proposed use will occupy an existing 14,000 square foot, vacant tenant space in the Promenade shopping center. The proposed floor plan consists of a playground area, an arcade area, a dining area, a kitchen area, a crafting area, a private birthday room, and two (2) restrooms. The playground area will be approximately 7,000 square feet, and will be equipped with a nine feet (9'-0") tall, soft, indoor playground structure that includes, but is not limited to, a variety of slides and tubes, a ball pool, and interactive panels. The arcade area will be 2,605 square foot in area, and will accommodate 34 individual arcade machines. The dining area will be approximately 2,000 square feet in size, and will consist of the area where food will be served, including an open dining area that can accommodate 13 tables and a service counter, a birthday room, a craft room, and a kitchen area. Since the subject tenant space is currently vacant, all the interior improvements for the proposed indoor playground with arcade games and food service will be new, and the applicant is

required to obtain building permits before commencing any of the proposed construction.

While the distance from the rear of tenant space to the nearest residential property, adjacent to the north of the project site, is measured at 160 feet, the main entrance of the proposed operation is measured at 320 feet. Only 630 square feet of the tenant space does not meet the required 200 foot distance separation, while rest of the tenant space complies with the separation requirement. In addition, the main entrance of the business is oriented toward Chapman Avenue to the south, and away from the abutting residential use to the north. The business will be accessible to the public through the main entrance within the common open area of the shopping center, while the back doors will be limited for delivery purposes only. Currently, the Promenade does not have any direct access to the abutting residential area.

The business will operate from 10:00 a.m. to 8:00 p.m., Monday to Thursday, and 10:00 a.m. to 9:00 p.m., Friday to Sunday. No live entertainment and no alcoholic sales are proposed. There are two (2) doors, located at the rear of the tenant spaces that will be reserved for delivery purposes only. With the exception of the minimum 200 foot distance from a residential property, the proposed indoor playground with arcade games and food service meets all other requirements set forth by the Municipal Code. Provided the project complies with the Conditions of Approval, the granting of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

4. The granting of such Variance will not adversely affect the City's General Plan.

The proposed Variance request will not cause an adverse effect on the City's General Plan since the Municipal Code is a tool used to implement the goals of the General Plan. Approval of the Variance request is consistent with several goals set forth in the General Plan. Goal LU-4 of the General Plan seeks to develop uses that are compatible with one another, while Goal ED-2 encourages new businesses, while supporting and assisting those already located within Garden Grove. The proposed indoor playground with arcades games and food service is not only considered compatible with the existing zoning district and existing uses within the Promenade shopping center, but will also provide new services that could not be found in surrounding neighborhood. Thus, the granting of such Variance will not adversely affect the City's General Plan.

5. That approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

The proposed indoor playground with arcade games and food service is similar operation to Chuck-e-Cheese and Nickle! Nickle!, that area also located in commercial plaza/ shopping centers adjacent to multiple residentially zoned properties. Both Chuck-e-Cheese and Nickle! Nickle! have the same operating characteristics as the proposed business. The main entrance of the Chuck-e-Cheese and Nickle! Nickle! are oriented toward the street and away from the adjacent residential property. While Chuck-e-Cheese is measured at 30 feet away from the adjacent residential use to the west, Nickle! Nickle! is about 100 feet away from the adjacent residential zoned property to the north.

The Variance is necessary to allow a deviation from the minimum distance between an arcade use and a residentially zoned properties. In this case, only a small portion of the subject tenant space is measured at 160 feet to the nearest residential property, the main entrance of the business is measured at 300 feet from the nearest residential property. In addition, the proposed business main entrance is oriented towards Chapman Avenue and away from the nearest adjacent residential property. Considering that all activities will be conducted solely within the enclosed subject tenant space, the proposed use will have minimal impact on the adjacent sensitive uses. Thus, approval of the proposed Variance will allow the applicant to enjoy a substantial property right possessed by other property owners located in other similar properties in the immediate vicinity, within the same zone, and other similarly-zoned properties throughout the City. The approval of the Variance is also subject to several conditions of approval intended to mitigate potential impacts to neighboring businesses and properties.

Further, pursuant to Condition of Approval No. 2, the rights granted the applicant pursuant to the Variance shall continue in effect for only so long as the use authorized and contemplated by Interpretation of Use No. IOU-003-2020 and Conditional Use Permit No. CUP-187-2020 continues to exist on the Site. In the event the use rights authorized and contemplated by Interpretation of Use No. IOU-003-2020 and Conditional Use Permit No. CUP-187-2020 are not exercised, or the use is abandoned and not re-established, the Variance will cease to be effective or grant the applicant any rights to use the property in a manner inconsistent with the then-currently applicable development standards.

#### INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020 do possess characteristics that would indicate justification of the requests in accordance with Municipal Code Section

9.32.030.

2. In order to fulfill the purpose and intent of the Municipal Code, and thereby promote the health, safety, and general welfare, the following conditions of approval, attached as Exhibit "A", shall apply to Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020.

Adopted this 18<sup>th</sup> day of June 2020



## **EXHIBIT "A"**

### **Interpretation of Use No. IOU-003-2020 Conditional Use Permit No. CUP-187-2020 Variance No. V-031-2020**

9691 Chapman Avenue

#### **CONDITIONS OF APPROVAL**

##### **General Conditions**

1. The applicant shall execute, and shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required within 30 days of this approval.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, L & L Kids Entertainment, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020. The rights granted the applicant pursuant to Variance No. V-031-2020 shall continue in effect for only so long as the use authorized and contemplated by Interpretation of Use No. IOU-003-2020 and Conditional Use Permit No. CUP-187-2020 and these Conditions of Approval continues to exist on the Site. In the event the use rights authorized and contemplated by Interpretation of Use No. IOU-003-2020 and Conditional Use Permit No. CUP-187-2020 are not exercised, or the use is abandoned and not re-established, Variance No. V-031-2020 shall cease to be effective or grant the applicant any rights to use the property in a manner inconsistent with the then-currently applicable development standards.
3. Approval of this Interpretation of Use, Conditional Use Permit, and Variance shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply. Modifications, which do not change the intent of the project, may be approved by the Community and Economic Development Director.
4. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create

impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.

5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Community and Economic Development Department**

6. The authorized hours of operation shall be from 10:00 a.m. to 8:00 p.m., Monday to Thursday, and 10:00 a.m. to 9:00 p.m., Friday to Sunday.
7. The establishment shall be open to the public during all hours of operation, including times when the party rooms are in use.
8. There shall be no deliveries to or from the premises before 7:00 a.m. and after 10:00 p.m., seven days a week.
9. There shall be no customers or patrons in or about the premises when the establishment is closed.
10. There shall be no gaming tables or gaming machines as outlined in City Code Sections 8.20.010 and 8.20.050 on the premises at any time.
11. The permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the premises from 6:00 p.m. to closing every day the business is operating. The hours that the security guard(s) is on the premises may be subject to change at the request of the Police Department.
12. The sale of alcohol for consumption on or off the premises is prohibited. There shall be no consumption of alcoholic beverages on the premises.
13. No outside storage or displays shall be permitted at any time. There shall be no pool tables on the premises at any time.
14. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the arcade's entrance, and shall also be visible to the public.
15. No live entertainment, i.e., dancing, karaoke, live music, sport bar or disc jockey entertainment, etc., including amplified music, shall be permitted on the premises. Interior amplified music may be permitted, but the sound

emitted from the premises shall not be audible outside the boundaries of the establishment.

16. The party room area may be used for various types of activities, which include, but are not limited to: dining, birthday parties, day camps, and small awards ceremonies for sports teams, Cub Scout troops, and other organizations. Any other type of activity that is anticipated to generate a high parking demand that may negatively impact the availability of parking in the shopping center shall be subject to review and approval by the Community and Economic Development Department.
17. In the event, the shopping center cannot accommodate the parking demand, due to impacts generated by the indoor playground with arcade games and food service, at any given time, which causes a nuisance, hindrance, and/or problem with both on-site and off-site parking and circulation, the business owner/property owner shall devise and implement a plan to relieve the situation.

The business owner/property owner shall submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but not be limited to: reducing the hours of operation, instituting an off-site parking arrangement; having on-site parking control personnel; and/or others actions that may be deemed applicable to the situation.

If the City's Community and Economic Development Director deems such action is necessary to address parking and circulation problems, such action shall be implemented within 30 days of written notice. Failure to take appropriate action shall be deemed a violation of these Conditions of Approval and may result in the City restricting the overall use of the facility.

18. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.16.020.070.
19. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
20. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.

21. The proposed use shall comply with the requirements set forth in section 9.18.030.040 of Title 9 of the Municipal Code.
22. The applicant/property owner shall abate all graffiti vandalism within the premises. The property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
23. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
24. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.
25. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
26. Signs shall comply with the center's approved Sign Program. A building permit shall be required to install any sign.
27. The tenant space shall comply with the latest California Building Standards Code, including, but not limited to, allowable floor area and occupancy separation.
28. A copy of Resolution No. 5991-20 approving Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020 shall be kept on the licensed premises at all times.
29. The permittee shall submit a signed letter acknowledging receipt of the decision approving Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020, and his/her agreement with all conditions of the approval.
30. This Conditional Use Permit may be called for review by City Staff, the City Council, or the Planning Commission for any reason, including if noise or

other complaints are filed and verified as valid by the Code Enforcement office or other city department concerning the violation of approved conditions, the Garden Grove Municipal Code, or any other applicable provisions of law.

31. The applicant shall, as a condition of the project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City, including, but not limited to, any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
32. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance No. V-031-2020 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.
33. If deemed necessary by the Community and Economic Development Director, the Conditional Use Permit may be reviewed within one year from the date of this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT

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| <b>AGENDA ITEM NO.:</b><br>D.5.   | <b>SITE LOCATION:</b> North side of Chapman Avenue, west of Brookhurst Street, located at 9665 Chapman Avenue  |
| <b>HEARING DATE:</b> June 18, 2020  | <b>GENERAL PLAN:</b> Residential/Commercial Mixed Use 2  |
| <b>CASE NOS.:</b> Site Plan No. SP-086-2020, and Lot Line Adjustment No. LLA-024-2020 | <b>ZONE:</b> NMU (Neighborhood Mixed Use)  |
| <b>APPLICANT:</b> HGGA Promenade L.P.   | <b>CEQA DETERMINATION:</b> Exempt, CEQA Guidelines §15303 (New Construction or Conversion of Small Structures), and §15305 (Minor Alterations in Land Use Limitations) |
| <b>PROPERTY OWNER:</b> HGGA Promenade L.P.  | <b>APNS:</b> 132-402-12, 13, 16, 18, 34, 37, and 38  |

**REQUEST:**

The applicant requests Site Plan approval to construct a new, 4,200 square foot, one-story bank building for CitiBank along with associated site improvements at the Garden Grove Promenade shopping center, at 9665 Chapman Avenue. In conjunction with the request, the applicant also requests Lot Line Adjustment approval to adjust an interior lot line by 61.99 feet, to accommodate the construction of the new building.

**BACKGROUND:**

The subject site, the Garden Grove Promenade, is an existing, approximately 30.98 acres, multi-tenant shopping center with reciprocal parking located at the northwest corner of Chapman Avenue and Brookhurst Street. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, and medical offices.

The shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The shopping center abuts R-1 (Single-Family Residential) zoned properties to the north; NMU zoned properties to the east across Brookhurst Street, and to the south across Chapman Avenue; and O-P (Office Professional) and R-3 (Multiple-Family Residential) zoned properties to the west across Gilbert Street.

The applicant proposes to construct a new, 4,200 square foot, one-story bank building

CASE NOS. SP-086-2020 AND LLA-024-2020

to provide space for a new CitiBank. The proposed location for the new bank building is on the southerly portion of the existing Garden Grove Promenade shopping center, north of Chapman Avenue, and is adjacent to the stand alone pad building, Pad "B", that is currently occupied by See's Candies. In conjunction with the request, the applicant also requests Lot Line Adjustment approval to adjust an interior lot line by 61.99 feet to the east to accommodate the new building.

## **DISCUSSION:**

### **PROJECT STATISTICS**

|   | <b>Provided</b> | <b>Required</b>                       |
|---|-----------------|---------------------------------------|
| <b>Lot size:</b>                              | 30.98 acres     | 15,000 square feet                    |
| <b>Building height:</b>                       | 24'-0" feet     | 50 ft or 4 stories, whichever is less |
| <b>Building setbacks:</b>                     |                 |                                       |
| Front (South - adjacent to Chapman Avenue)    | 26'-6"          | 15'-0"                                |
| Rear (North - adjacent to shared drive-aisle) | 10'-1"          | 0'-0"                                 |
| Side (West - adjacent to See's Candies)       | 20'-3"          | 0'-0"                                 |
| Side (East - adjacent to Pad "D" building)    | 94'-4"          | 0'-0"                                 |
| <b>Parking:</b>                               |                 |                                       |
| For the Garden Grove Promenade <sup>1</sup>   | 1,972 spaces    | 1,633 spaces                          |
| For the CitiBank <sup>2</sup>                 | 28 spaces       | 28 spaces                             |

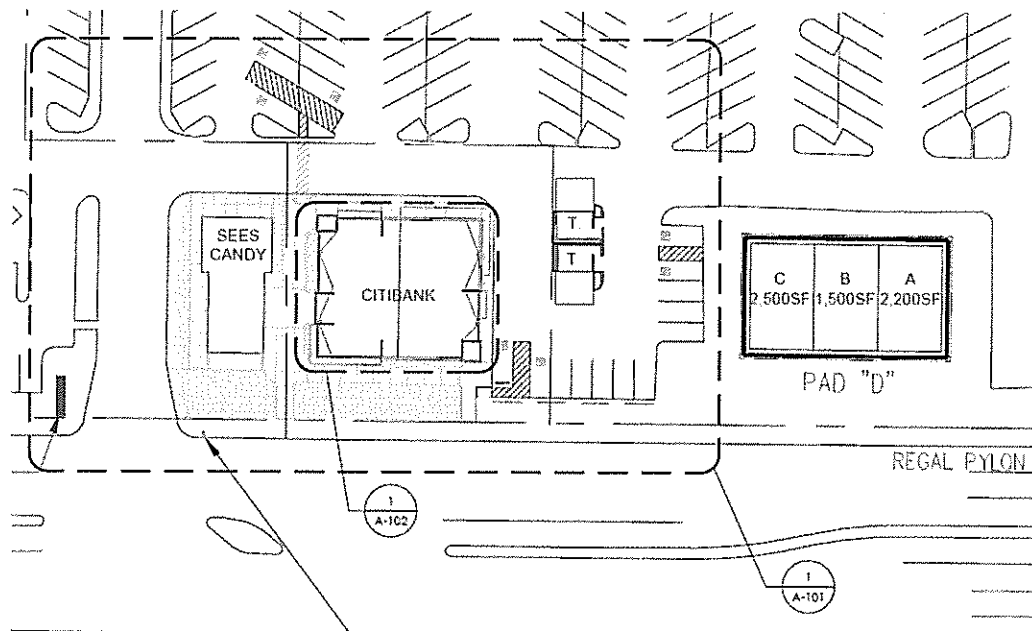
### **SITE DESIGN**

The applicant is proposing to construct a new, 4,200 square foot bank building in an area that is currently improved with a parking lot, located on the southerly portion of the Promenade shopping center, along Chapman Avenue. Figure 1 shows the new building's location that is between Pad "B" building, which is currently occupied by See's Candies, and Pad "D" building. The subject parking lot currently has a total of 39 parking spaces. In order to accommodate the new building, 27 parking spaces will be eliminated, and the parking lot will be restriped, and reconfigured to meet the parking requirements as set forth by the Title 9 of Municipal Code, and to be in compliance with the ADA (American Disability Act) requirements, as well as to ensure vehicle circulation on the subject site. The new building will be served by an existing drive aisle that is located to the north of the new building. Existing on-site circulation will not be modified.

<sup>1</sup> 1,972 spaces is the total parking that will be available on-site, while 1,633 spaces is the total required parking to support all the uses at the Promenade shopping center after the construction of the bank building.

<sup>2</sup> No additional parking spaces will be added to the subject site. However, the Garden Grove Promenade currently has a parking surplus that will be sufficient to support the increase of 28 spaces in parking demand for the shopping center due to the construction of the new bank building.

**Figure 1:** The location of the new CitiBank building.



The new building will be 20'-3" feet to the west of the See's Candies building. The new building will maintain a 26-foot front setback along Chapman Avenue, and a 10-foot setback from the northerly shared drive aisle. The proposed setback and building separation exceed the minimum as required by the Garden Grove Municipal Code.

The floor plan of the building is designed with a lobby area with teller windows, an ATM room, four (4) private customer meeting rooms, one (1) all gender restroom, and an office area that is only accessible by employees. The main entry of the building is located on the north side of the building, facing the shared drive aisle. The second entry, that is available 24 hours for ATM services, is located on the east side of the building facing the parking lot. In addition, the building is also designed with an interior roll-up door that will secure the bank after hours, while allowing customers to access the bank for ATM services.

The site is also designed with a new, approximate 1,030 square foot pedestrian plaza, located between the See's Candies building and the new building. The design includes a new, continuous pedestrian walkway that wraps around the new building to provide access from the public right-of-way, the shared drive aisle, and the parking lot.

The new bank building will be constructed in the location that is currently improved with a parking lot that is striped with 39 parking spaces. To accommodate the new bank building, 27 parking spaces will be eliminated. The applicant proposes to reconfigure the parking area to accommodate a total of 12 parking spaces, including two (2) handicapped parking spaces that will be accessed from a 25'-0" wide drive aisle.

Currently, there is one (1) trash enclosure serving both Pad "B" building and Pad "D" building. The applicant proposes to construct an additional trash enclosure in the same



location of the existing trash enclosure to support the increased trash demand. The trash enclosure will be required to comply with the City's standard for refuse storage enclosures.

Parking

Section 9.18.140.030 of the Municipal Code parks financial institutions, that have no drive-up window, at a ratio of one (1) space per 150 square feet of gross floor area. For a 4,200 square foot bank building, a total of 28 parking spaces will be required to support the proposed use.

The Garden Grove Promenade is an integrated shopping center with shared parking. Currently, the center provides a total of 1,999 parking spaces that are distributed across the site and shared among all tenants. Based on the existing uses, the center is required to maintain 1,581 parking spaces to meet its minimum parking demand. With 1,999 spaces already available, the center has a parking surplus of 418 parking spaces.

Under a separate application, the Planning Commission is asked to consider an operation of a new indoor playground with arcade games and food service use (Interpretation of Use No. IOU-003-2020, Conditional Use Permit No. CUP-187-2020, and Variance V-031-2020) located in the same shopping center. The new indoor playground will require an additional 24 parking spaces. If the indoor playground is approved, the total parking surplus available on-site will be reduced to 394 spaces. Table 1 shows the change in the change in number of parking spaced provided by the Promenade shopping center and the number of parking spaces required to support all the uses after the construction of the CitiBank building.

**Table 1:** Change in parking after the construction of the CitiBank building

|   | <b>Provided</b> | <b>Required</b> |
|---|-----------------|-----------------|
| Current available parking spaces              | 1,999           | 1,581           |
| Establishment of L&L Kids Entertainment, Inc. | +0              | +24             |
| Construction of the CitiBank building         | -27             | +28             |
| <b>Total</b>                                  | <b>1,972</b>    | <b>1,633</b>    |
| <b>Available parking surplus</b>              | <b>339</b>      |                 |

With the construction of the CitiBank building, the parking demand, and number of parking spaces available will be changed accordingly. Since the bank will be constructed in an area that is currently improved with a parking lot, 27 parking spaces will be eliminated. The parking area adjacent to the new bank building will be restriped to accommodate the remaining 12 parking spaces. After the construction of the bank building, the anticipated surplus parking count will be 339 spaces.

### Building Design

The proposed bank building is designed to maintain architectural consistency with the Garden Grove Promenade. The bank building will be single-story, and 24'-0" feet tall from the finish grade to the top to the parapet, and will incorporate a contemporary architectural style matching the rest of the shopping center. The design also effectively uses different architectural features such as a parapet, metal siding, and different building massing to eliminate the appearance of box-shaped design. The exterior finishes will consist of earthy colors that include white and various tones of brown colored stucco. The building also has metal canopies at the main and side entrances on the north and east elevations.

### Landscaping

Approximately 1,900 square feet of landscaping will be added to the project site to comply with the landscaping requirements of Title 9 of the Municipal Code. While the existing landscaped area along the west side of the See's Candies building will remain unchanged, new landscaping will be added to the front setback along Chapman Avenue, to the surrounding areas of the new building, and around the new trash enclosure. New landscaping treatment includes new raised flower beds, new decorative planters, new shrubs, and drought tolerant plants. In addition, pedestrian walkways will be enhanced with colored concrete paving, and decorative pavers that match with existing on-site improvements. The applicant is required to provide a landscape and irrigation plan to the City that complies with the landscaping and water efficiency requirements of Title 9 of the Municipal Code.

In addition to the new landscaping, the proposed project also provides a new 1,000 square foot pedestrian plaza located between the existing See's Candies building and the new bank building to meet the development standards for NMU zone as set forth by Section 9.18.090.070 of the Municipal Code. The pedestrian plaza will be oriented toward Chapman Avenue. The plaza will be accessible from the southerly public right-of-way by a new concrete walkway, and from the northerly drive aisle within the shopping center by a new ADA compliant path of travel. The plaza will have the same landscaping treatment, including raised planter beds and drought tolerant plants, with the rest of the project site to ensure consistency across the site.

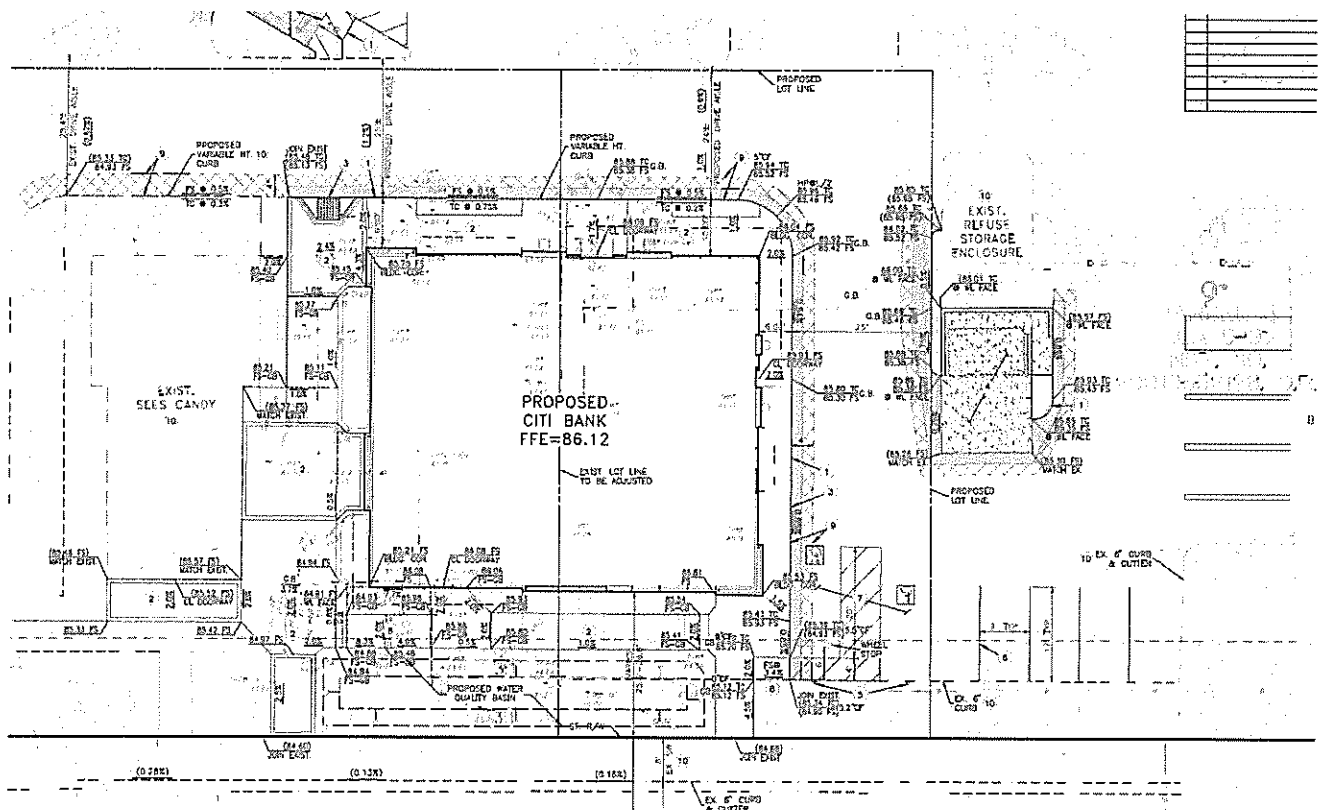
### Signage

A new monument sign, located along Chapman Avenue, is also included in the proposed plan. Any proposed signage will be required to comply with the Center's approved Sign Program, and with the sign standards as set forth by the Title 9 of the Municipal Code. A separate sign application will be submitted, and a building permit will be obtained for the proposed on-site signage.

LOT LINE ADJUSTMENT

The Garden Grove Promenade shopping center consists of multiple parcels (Parcel A and Parcel B). There is an interior lot line located where the new CitiBank building will be constructed. The California Building Code does not allow buildings to be constructed over property lines; therefore, the applicant requests Lot Line Adjustment approval to adjust the interior lot line 61.99 feet to the east. Figure 2 shows an existing lot line (in dashed line) running through the bank building, while the new lot line will be located adjacent to the west of the trash enclosure. As a result, approximately 7,440 square feet will be transferred from Parcel B to Parcel A. After the Lot Line Adjustment, the total lot size of Parcel A will be 22.32 acres, while Parcel B will be 7.06 acres. The total lot size of the Promenade shopping center will remain unchanged. The Lot Line Adjustment and all associated site improvements will conform with the development standards as set forth by the Municipal Code.

**Figure 2:** Excerpt from grading plan provided by the applicant shows an existing lot line at the location where the bank building will be constructed. By adjusting the lot line 61.99 feet to the east, the building will not be built over the property line.



**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The proposed development is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA's Class 3, New Construction or Conversion of Small Structures (CEQA Guidelines §15303), and CEQA's Class 5, Minor Alterations in Land Use Limitations (CEQA Guidelines §15305). CEQA's Class 3 exemption applies to up to four (4) commercial buildings (including a store, motel, office, restaurant or similar structures) not exceeding 10,000 square feet in floor areas on site zoned for such use (CEQA Guidelines § 15303(c)). CEQA's Class 5 exemption applies to minor lot line adjustments not resulting in creation of any new parcel (CEQA Guidelines § 15305(a)). The applicant proposes to construct one (1) new 4,200 square foot bank building within an existing shopping center, the Garden Grove Promenade, which is consistent with the Class 3 exemption. Additionally, the applicant also requests to adjust an interior lot line 61.99 feet eastward to accommodate the new building. No new parcel will be created, and the total size of the center will remain unchanged. Thus, the project is also consistent with the Class 5 exemption. The proposed project will not have significant impact on the existing site and to the surrounding area; thus, it is exempt from CEQA.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

- Adopt Resolution No. 5992-20 approving Site Plan No. SP-086-2020 and Lot Line Adjustment LLA-024-2020, subject to the recommended Conditions of Approval.



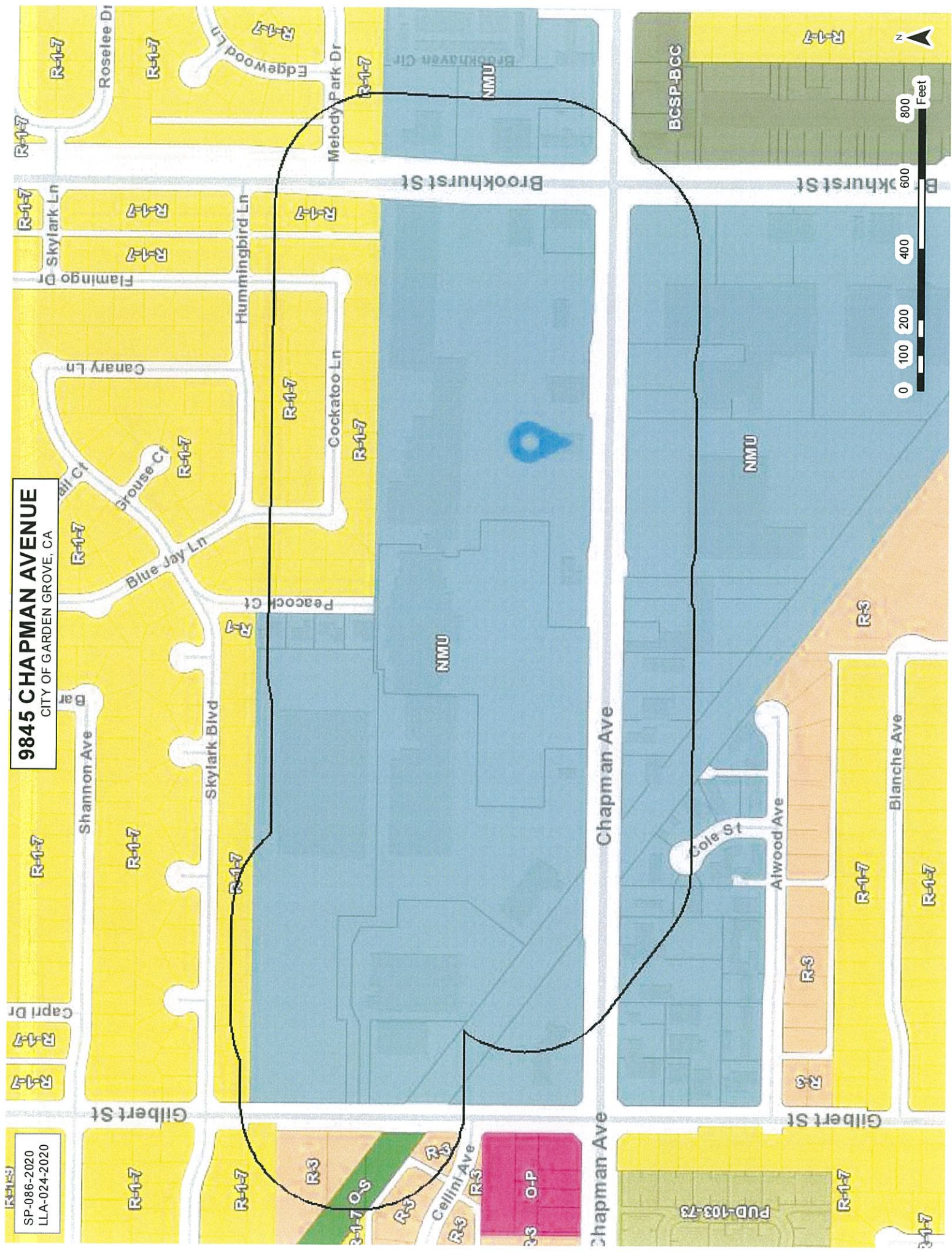
Lee Marino  
Planning Services Manager



Huong Ly  
Assistant Planner

**9845 CHAPMAN AVENUE**  
CITY OF GARDEN GROVE, CA

SP-086-2020  
LLA-024-2020



1. THE DRAWINGS AND THE INSTRUMENTS OF SERVICE, INCLUDING ARCHITECTS AND ENGINEERS, ARE NOT TO BE USED FOR ANY OTHER THAN THE LOCATION SHOWN HEREON.

2. NO CHANGES ARE TO BE MADE ON THESE PLANS WITHOUT THE KNOWLEDGE OR CONSENT OF THE ARCHITECT/ENGINEER/IN-CHARGE. SIGNATURE APPEARS HEREON.

3. DIMENSIONS AS INDICATED ARE THE DIMENSIONS TO BE USED FOR CONSTRUCTION. DO NOT SCALE DRAWINGS.

4. NO WORKING OF ANY TYPE IS TO BE CONCEALED PRIOR TO INSPECTION BY GOVERNING AGENCIES.

5. APPLICATION OF ANY MATERIAL OR FINISHES FOR CONFORMANCE ONLY AND DOES NOT LIMIT THE APPLICATION OF ANY OTHER MATERIAL OR FINISHES.

6. DIMENSIONS AND CONDITIONS AT THE JOB SITE SHALL BE VERIFIED BY ALL CONTRACTORS. DISCREPANCIES IN THE DRAWINGS OR BETWEEN THE DRAWINGS AND FIELD CONDITIONS SHALL BE REPORTED TO THE ARCHITECT/ENGINEER/IN-CHARGE IMMEDIATELY. THE ARCHITECT/ENGINEER/IN-CHARGE SHALL BE RESPONSIBLE FOR THE METALLIZATION OF ANY WORK. ALL DIMENSIONS ARE TO BE FROM ELECTRICAL AND LANDSCAPE DIMENSIONS.

7. ALL WORK, CONSTRUCTION AND MATERIALS SHALL COMPLY WITH ALL PROVISIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS AND ORDINANCES COVERING THE PLACE OF THE CONSTRUCTION. THE ARCHITECT/ENGINEER/IN-CHARGE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE ARCHITECT/ENGINEER/IN-CHARGE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE ARCHITECT/ENGINEER/IN-CHARGE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE ARCHITECT/ENGINEER/IN-CHARGE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

8. THESE DRAWINGS DO NOT CONTAIN THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONSULT PROJECT ARCHITECT FOR MORE INFORMATION.

9. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE STATE CONSTRUCTION SAFETY CODES ENFORCED BY THE STATE OF CALIFORNIA DIVISION OF INDUSTRIAL SAFETY.

10. CONSULT PROJECT ARCHITECT FOR MORE INFORMATION.

11. NO BUILDING OCCUPANCY SHALL OCCUR UNTIL THE TOILET IMPROVEMENT PERMITS HAVE BEEN FINALIZED.

12. FUTURE TENANT IMPROVEMENTS SHALL BE APPROVED PRIOR TO CERTIFICATE OF OCCUPANCY.

**GENERAL NOTES**

**BUILDING DEPARTMENT:**  
CITY OF GARDEN GROVE BUILDING DEPARTMENT  
GARDEN GROVE, CALIFORNIA 92640

**BUILDING CODES:**  
CALIFORNIA BUILDING CODE 2019  
CALIFORNIA FIRE MARSHAL CODE 2019  
CALIFORNIA ELECTRICAL CODE 2019  
CALIFORNIA ENERGY CODE 2019

**BUILDING DATA:**  
LEGALS/PERMITS: 12-463-37.3.B  
SHEET INFORMATION:  
SHEET AREA: 1,349,392.57 (30.98 AC.)  
BUILDING AREA: 352,627.57 SF  
TOTAL FLOOR AREA: 1,349,392.57 SF  
PARKING PROVIDED: 4.19 CARS / 1,000 SF  
PARKING RATIO PROVIDED: 4.0 CARS / 1,000 SF

**WALMART PARCEL:**  
SITE AREA: 399,140 SF (9.16 AC.)  
TOTAL FLOOR AREA: 104,500 SF  
PARKING PROVIDED: 4.73 CARS / 1,000 SF  
PARKING RATIO PROVIDED: 4.0 CARS / 1,000 SF

**TOTALS:**  
TOTAL SITE AREA: 1,748,532.57 (40.14 AC.)  
TOTAL FLOOR AREA: 1,349,392.57 SF  
PARKING PROVIDED: 4.31 CARS / 1,000 SF  
PARKING RATIO PROVIDED: 4.0 CARS / 1,000 SF

**BUILDING AREAS:**  
BUILDING 1 (CITIBANK): 4,200 SF  
PARCEL AREA: 13,670 SF  
LANDSCAPE AREA: 1,902 SF

**ABBREVIATIONS**

SECTION ELEVATION REFERENCE:  $\Delta$

DETAIL REFERENCE:  $\Delta$

INTERIOR ELEVATION:  $\Delta$

ALUM:  $\Delta$

FRESH FLOOR TRANSITION:  $\Delta$

ADDITIONAL OR FINISHES:  $\Delta$

GARD LINE:  $\Delta$

FRESH MATERIAL:  $\Delta$

REFERENCE POINT:  $\Delta$

KEYNOTE:  $\Delta$

ROOM NUMBER:  $\Delta$

DOOR NUMBER:  $\Delta$

WINDOW NUMBER:  $\Delta$

AT: ANCHOR BOLT  
AC: ACROPLAST CEILING TILE  
AF: ABOVE FINISH FLOOR  
AS: AUTOMATIC SPRINKLER RISER  
BL: BLOCKING  
BR: BRAM  
CL: CENTERLINE  
CC: CONCRETE  
CG: CONCRETE GROUT  
CMT: CARPET  
CT: COUNTERTOP  
DB: DIMETER  
DN: DOWN  
DR: DRAIN  
E: EXISTING  
EACH: EACH  
EL: ELEVATION  
EQ: EQUIPMENT  
F: FLOOR  
F.F.: FINISH FLOOR  
F.F.C.: FINISH FLOOR CONCRETE  
F.L.: FLOOR  
F.P.: FACE OF STUD  
F.S.: FLOOR FINISH  
F.T.: FRET TREATED  
GA: GAGE  
G.C.: GENERAL CONTRACTOR  
GL: GLASS  
GLV: GLASS VENEER  
GLASS: GLASS  
HW: HARDWARE  
HDL: HOLLOW METAL  
HP: HIGH POINT  
HP: HIGH POINT  
INS: INSULATION  
IND: INDICATOR  
LAV: LAVATORY  
LP: LOW POINT  
M: MASONRY  
M: MASONRY  
M: MASONRY  
M: MASONRY  
M: MASONRY  
M: METAL

**SYMBOLS**

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**PROJECT DIRECTORY**

**OWNER:** HUGHES INVESTMENTS  
CONTACT: JEFFREY HUGHES  
31500 WILSON AVENUE, SUITE 200  
NEWPORT BEACH, CA 92660  
949-440-1111  
hughesinvestments.com

**ARCHITECT:** STUDIO 1 ARCHITECTS  
CONTACT: JEFFREY HUGHES  
31500 WILSON COURT, SUITE 200  
NEWPORT BEACH, CA 92660  
949-440-1111  
studio1arch.com

**LANDSCAPE ARCHITECT:** SPIC, ARBOSH & ASSOCIATES  
CONTACT: JEFFREY HUGHES  
31500 WILSON COURT, SUITE 200  
NEWPORT BEACH, CA 92660  
949-440-1111  
spicarbosh.com

**CIVIL ENGINEER:** HANDELER & ASSOCIATES  
CONTACT: JEFFREY HUGHES  
31500 WILSON COURT, SUITE 200  
NEWPORT BEACH, CA 92660  
949-440-1111  
handeler.com

**SCOPE OF PROJECT**

**ANSWER:** A-000 TITLE SHEET  
A-100 OVERALL SITE PLAN  
A-110 BUILDING 1 FLOOR PLAN  
A-120 BUILDING 2 FLOOR PLAN  
A-130 CONCEPTUAL LANDSCAPE PLAN  
A-140 MATERIAL BOARD  
A-200 3D PROJECT VIEWS

**SCOPE:**  
L-1 CONCEPTUAL LANDSCAPE PLAN  
L-2 LANDSCAPE WATER EFFICIENCY PLAN

**PROJECT INFO**

**PROJECT #:** 200101

**DATE:** 20 APRIL 2020

**PROJECT TITLE:** COVER SHEET

**SHEET #:** A-000

**CITIBANK**  
The Promenade  
Garden Grove, CA 92841

**GENERAL NOTES**

**BUILDING DEPARTMENT:**  
CITY OF GARDEN GROVE BUILDING DEPARTMENT  
GARDEN GROVE, CALIFORNIA 92640

**BUILDING CODES:**  
CALIFORNIA BUILDING CODE 2019  
CALIFORNIA FIRE MARSHAL CODE 2019  
CALIFORNIA ELECTRICAL CODE 2019  
CALIFORNIA ENERGY CODE 2019

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FRESH MATERIAL:  $\Delta$

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ROOM NUMBER:  $\Delta$

DOOR NUMBER:  $\Delta$

WINDOW NUMBER:  $\Delta$

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A-200 3D PROJECT VIEWS

**SCOPE:**  
L-1 CONCEPTUAL LANDSCAPE PLAN  
L-2 LANDSCAPE WATER EFFICIENCY PLAN

**PROJECT INFO**

**PROJECT #:** 200101

**DATE:** 20 APRIL 2020

**PROJECT TITLE:** COVER SHEET

**SHEET #:** A-000

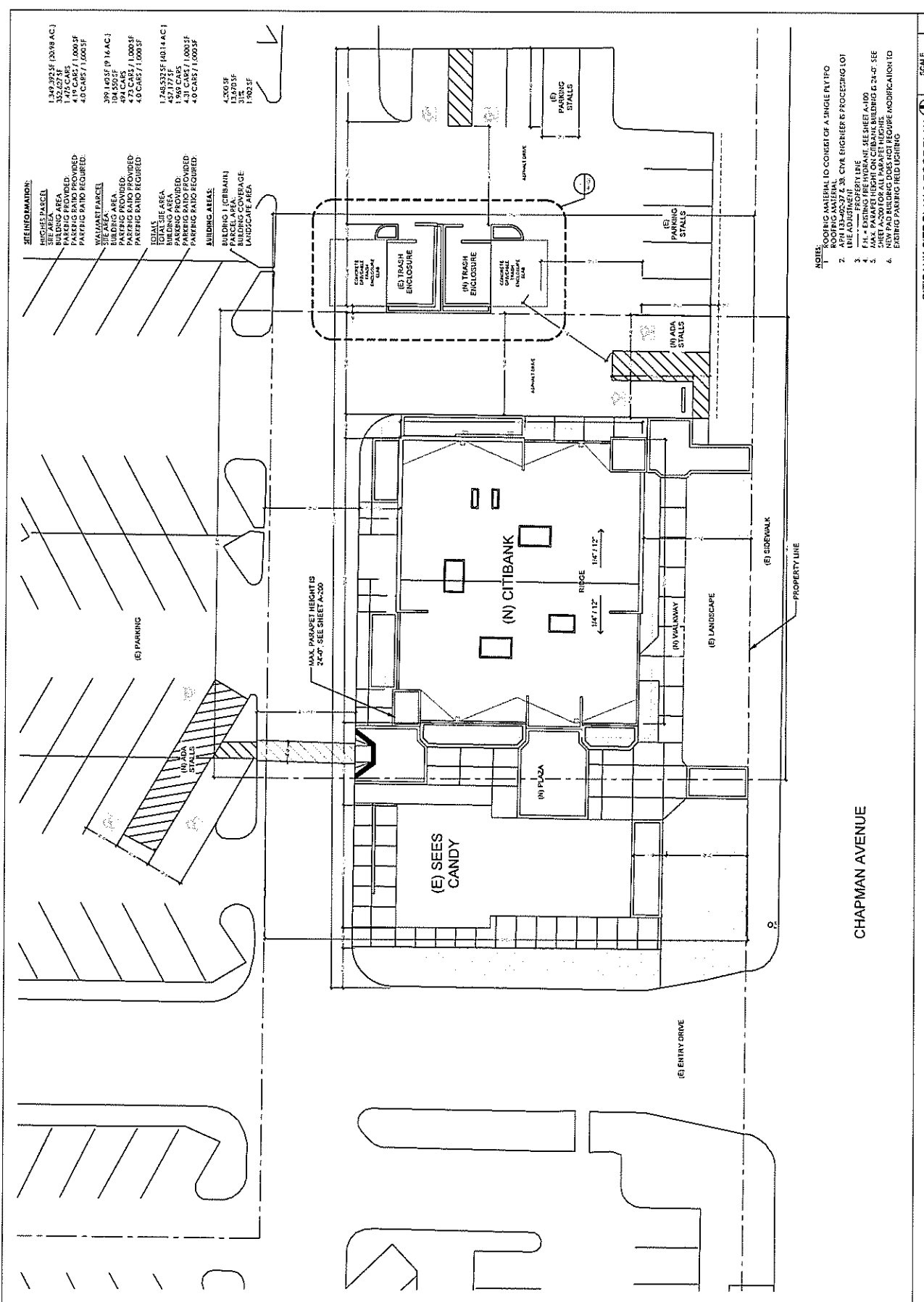
**CITIBANK**  
The Promenade  
Garden Grove, CA 92841

**NEIGHBORHOOD MAP**

**VICINITY MAP**

**SHEET INDEX**

THE PROJECT CONSISTS OF A NEW BANK PAD BUILDING IN AN EXISTING RETAIL CENTER. THIS SUBMISSION IS FOR ADMINISTRATIVE SITE PLAN AND DESIGN REVIEW APPROVAL.



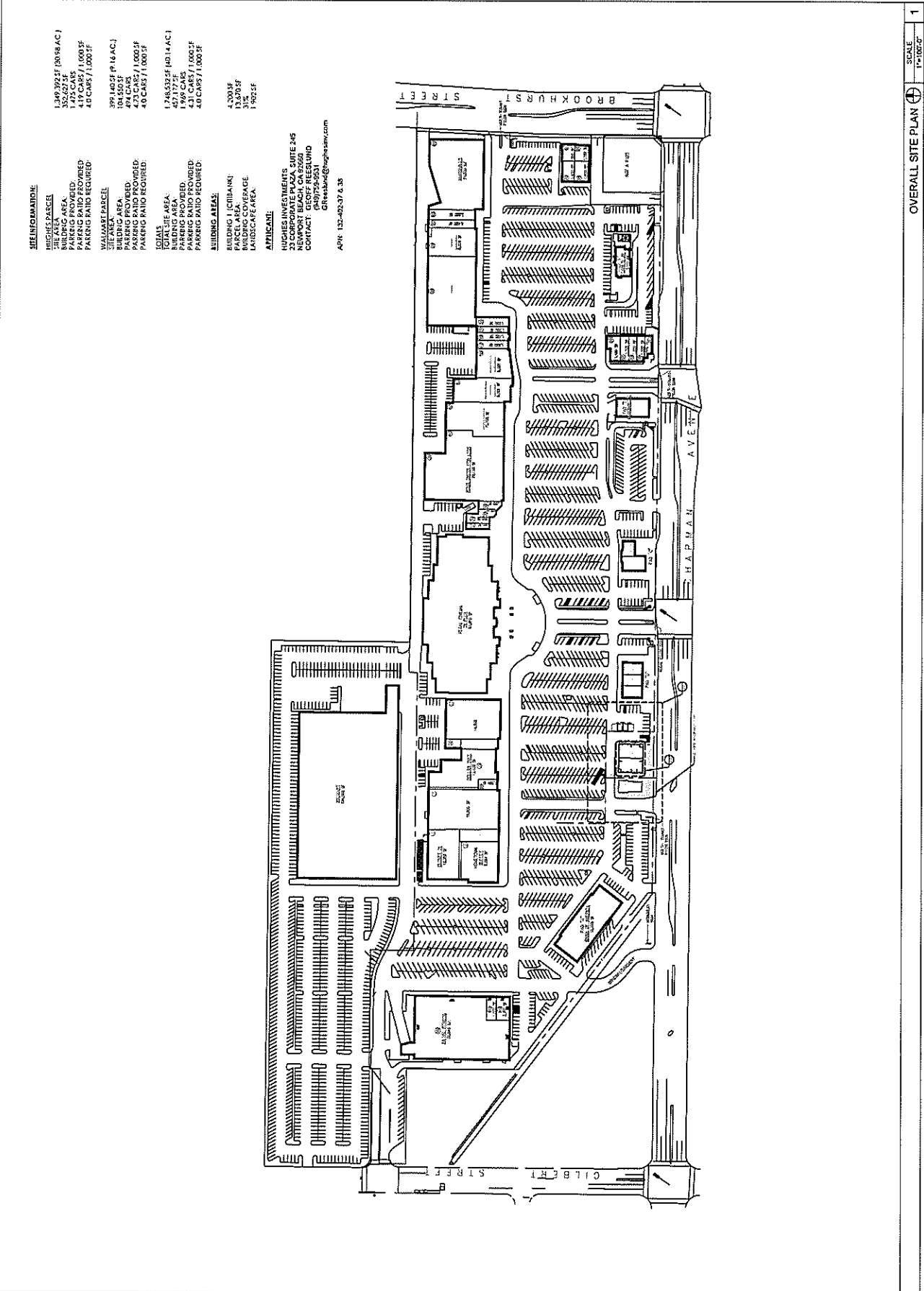
**SITE INFORMATION:**

- HUGHES PARCEL**  
 SITE AREA: 1,349,392 SF (20.98 AC.)  
 TOTAL AREA: 1,349,392 SF  
 PARKING PROVIDED: 40 CARSP / 1,000 SF  
 PARKING RATIO REQUIRED: 40 CARSP / 1,000 SF
- WALMART PARCEL**  
 SITE AREA: 399,140 SF (5.76 AC.)  
 TOTAL AREA: 399,140 SF  
 PARKING PROVIDED: 894 CARSP  
 PARKING RATIO PROVIDED: 47.2 CARSP / 1,000 SF  
 PARKING RATIO REQUIRED: 40 CARSP / 1,000 SF
- TOTALS**  
 BUILDING AREA: 1,748,595 SF (25.44 AC.)  
 PARKING AREA: 457,773 SF  
 PARKING PROVIDED: 1,569 CARSP  
 PARKING RATIO PROVIDED: 43.1 CARSP / 1,000 SF  
 PARKING RATIO REQUIRED: 40 CARSP / 1,000 SF
- BUILDING AREAS**  
 BUILDING 1 (CITIBANK)  
 BUILDING 2 (SEES)  
 BUILDING 3 (CANDY)  
 BUILDING 4 (TRASH ENCLOSURE)  
 BUILDING 5 (CONCRETE ENCLOSURE)  
 LANDSCAPE AREA

- 4,300 SF  
 13,970 SF  
 1,700 SF

- NOTES:**
1. ROOFIC MATERIAL TO CONSIST OF A SINGLE RLY TPO
  2. A/PN 13-40237 & 38, CIVIL ENGINEER & PROCEEDING LOT
  3. TIRE ADJUSTMENT
  4. E/FI - EXISTING FIRE HYDRANT - SEE SHEET A-100
  5. MAX. PARAPET HEIGHT ON CITIBANK BUILDING IS 2'-0". SEE SHEET A-100 FOR DETAILS. ALL OTHER BUILDINGS TO BE 10'-0" MAX. PARAPET HEIGHT. ALL BUILDINGS TO BE 10'-0" MAX. PARAPET HEIGHT. ALL BUILDINGS TO BE 10'-0" MAX. PARAPET HEIGHT.
  6. EXISTING PARKING FIELD LIGHTING

CHAPMAN AVENUE



**PERMITTED:**

1,349,392 SF (30.98 AC.)  
 1,475 CARS / 1,000 SF  
 40 CARS / 1,000 SF

**VALUABLE PARCEL:**

399,140 SF (9.16 AC.)  
 104,550 SF  
 4,731 CARS / 1,000 SF  
 40 CARS / 1,000 SF

**TOTALS:**

1,748,532 SF (40.14 AC.)  
 1,579,500 SF  
 1,569 CARS  
 4,311 CARS / 1,000 SF  
 40 CARS / 1,000 SF

**BUILDING AREAS:**

4,200 SF  
 13,970 SF  
 3,000 SF  
 1,982 SF

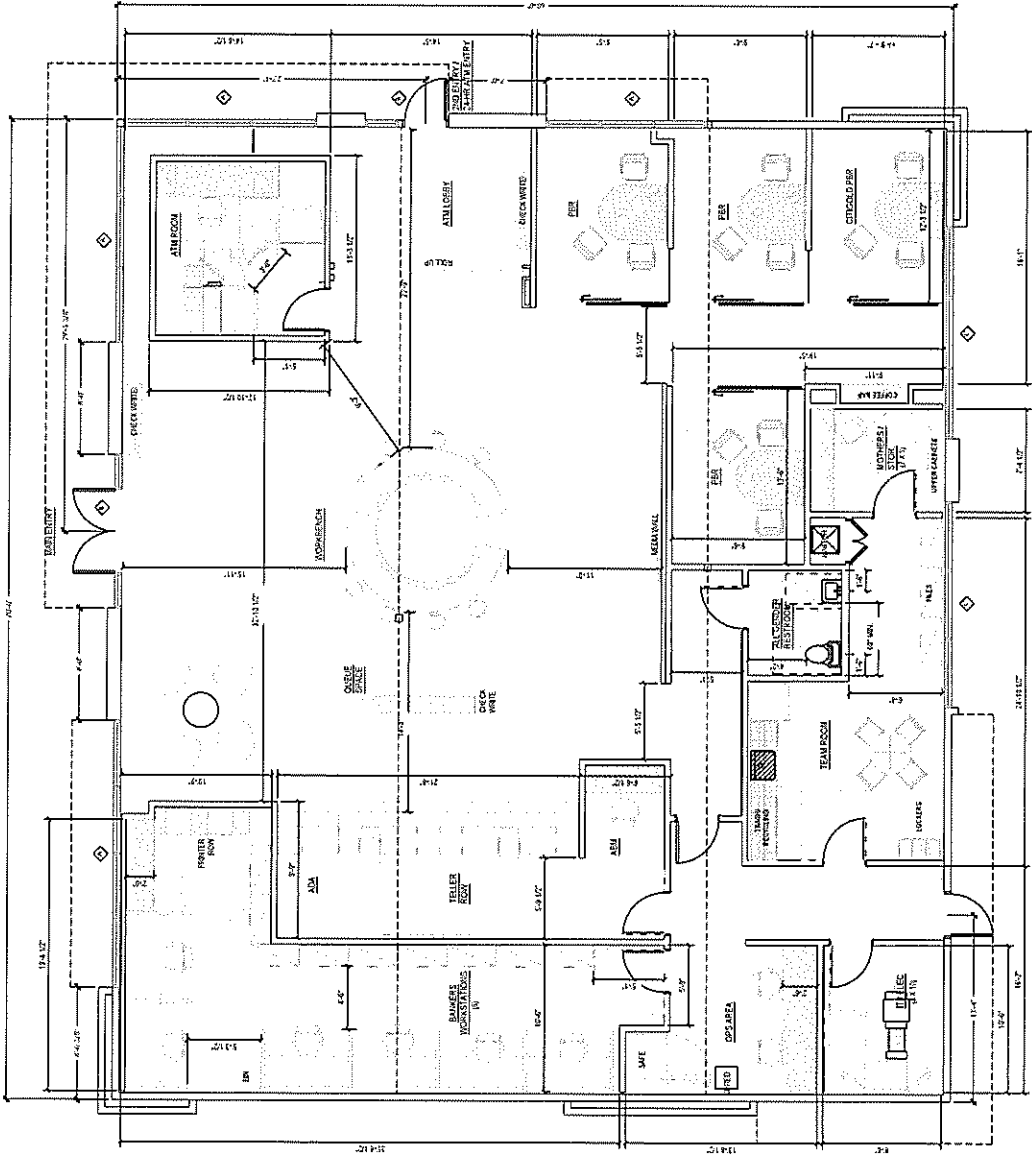
**APPLICANT:**

HUGHES INVESTMENTS  
 20 CORPORATE PLAZA, SUITE 245  
 GARDEN GROVE, CA 92841  
 CONTACT: GREGG REESLUND  
 (949) 759-5531  
 GregReeslund@hughesinvest.com  
 APR: 132-462437 & 38



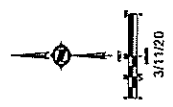
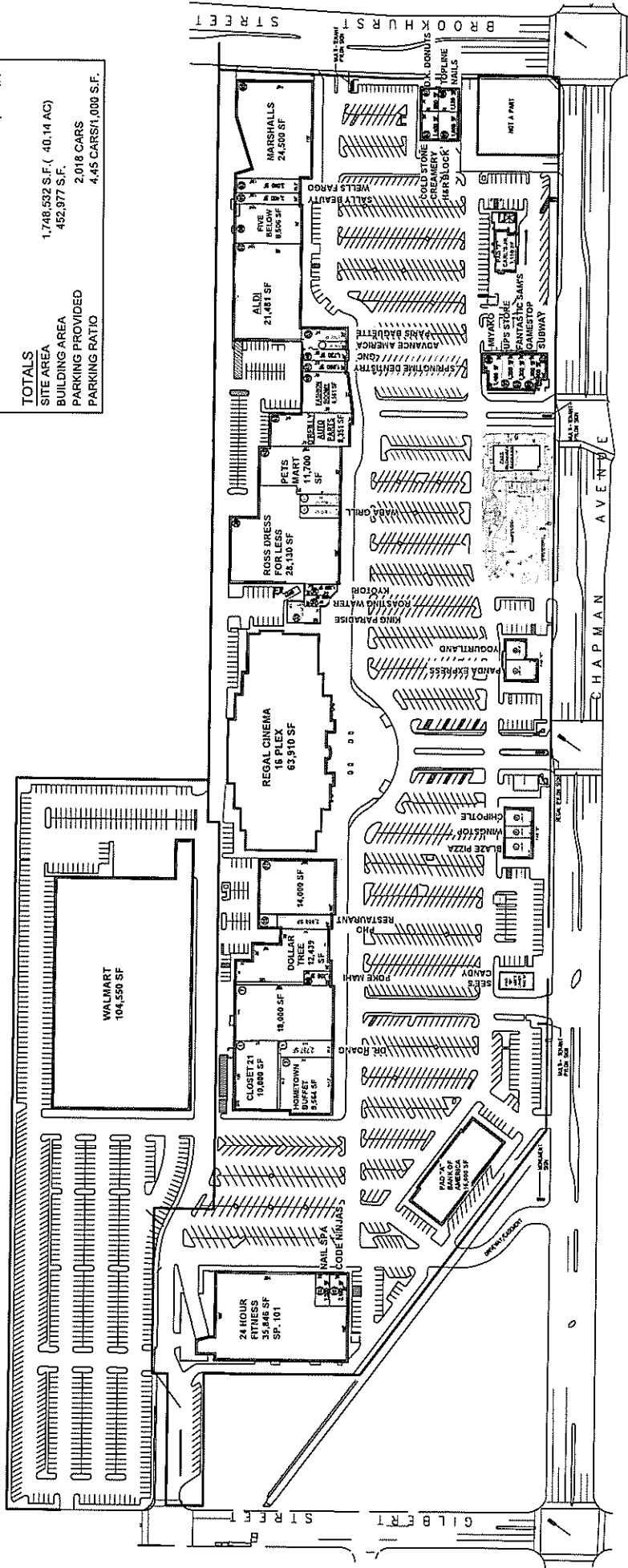
**WINDOW SCHEDULE**

- 100 100-5P1004
- 100 100-5P1005
- 100 100-5P1006
- 100 100-5P1007
- 100 100-5P1008
- 100 100-5P1009
- 100 100-5P1010
- 100 100-5P1011
- 100 100-5P1012
- 100 100-5P1013
- 100 100-5P1014
- 100 100-5P1015
- 100 100-5P1016
- 100 100-5P1017
- 100 100-5P1018
- 100 100-5P1019
- 100 100-5P1020
- 100 100-5P1021
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- 100 100-5P1099
- 100 100-5P1100



**SITE SUMMARY**

| HUGHES PARCEL          |                             |
|------------------------|-----------------------------|
| SITE AREA              | 1,349,392 S.F. ( 30.98 AC.) |
| BUILDING AREA          | 348,427 S.F.                |
| PARKING PROVIDED       | 1,505 CARS                  |
| PARKING RATIO PROVIDED | 4.32 CARS/1,000 S.F.        |
| PARKING RATIO REQUIRED | 4.0 CARS/1,000 S.F.         |
| WALMART PARCEL         |                             |
| SITE AREA              | 399,140 S.F. ( 9.16 AC.)    |
| BUILDING AREA          | 104,550 S.F.                |
| PARKING PROVIDED       | 494 CARS                    |
| PARKING RATIO          | 4.73 CARS/1,000 S.F.        |
| TOTALS                 |                             |
| SITE AREA              | 1,748,532 S.F. ( 40.14 AC)  |
| BUILDING AREA          | 452,977 S.F.                |
| PARKING PROVIDED       | 2,018 CARS                  |
| PARKING RATIO          | 4.45 CARS/1,000 S.F.        |



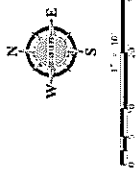
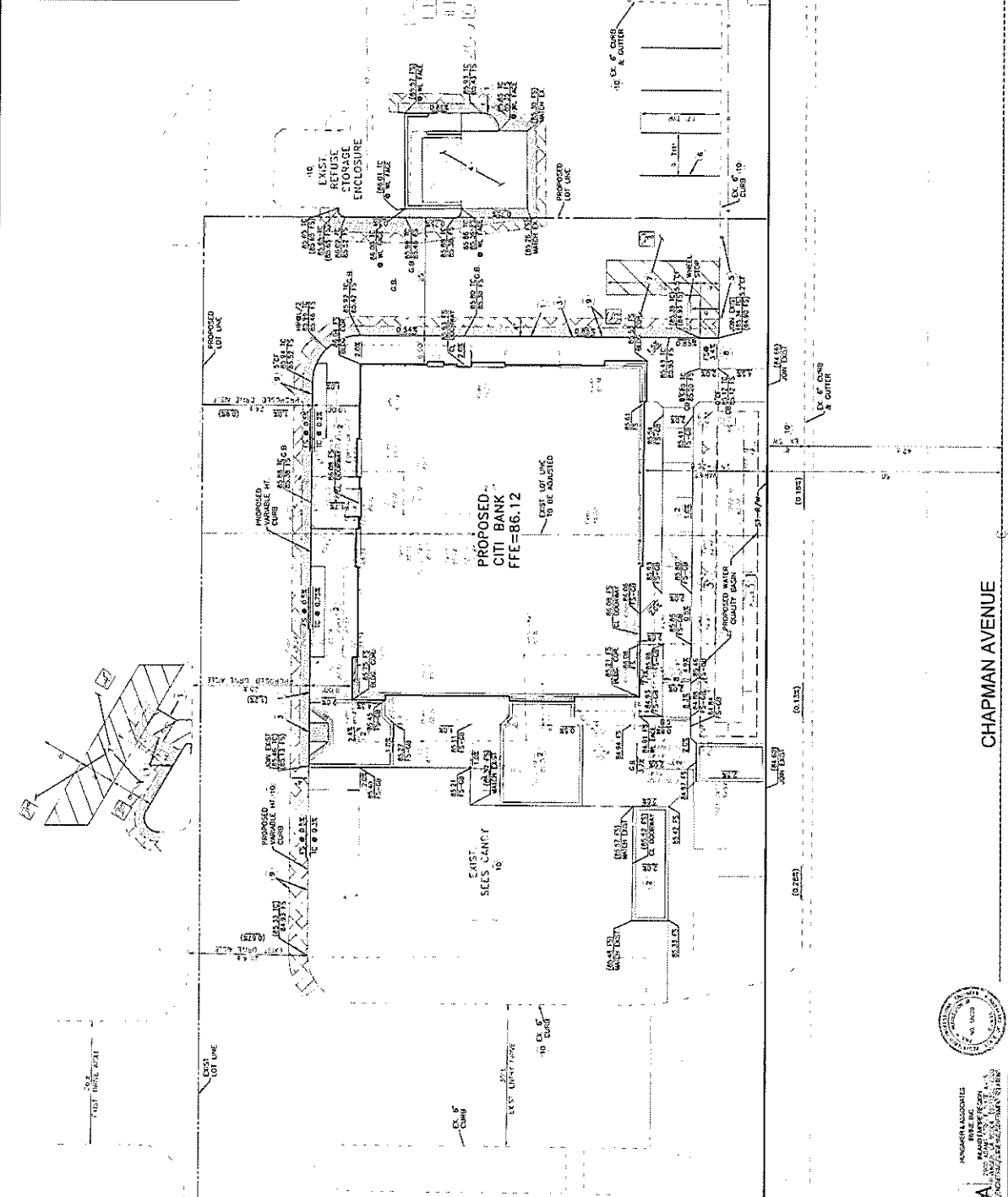
**EXISTING FACILITIES PLAN 2**

3/11/20  
 \PROJECT\CONSTRUCTION\EXISTING FACILITIES PLAN 2\HUGHES\LA\WITH STAMT\HUGHES SITE 2.DWG

**THE PROMENADE**  
 GARDEN GROVE, CALIFORNIA

**CONSTRUCTION NOTES**

1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND THE ILLINOIS CONSTRUCTION CODE.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND THE ILLINOIS CONSTRUCTION CODE.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND THE ILLINOIS CONSTRUCTION CODE.
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8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND THE ILLINOIS CONSTRUCTION CODE.
9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND THE ILLINOIS CONSTRUCTION CODE.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND THE ILLINOIS CONSTRUCTION CODE.



|   |  |   |
|---|--|---|
| PRELIMINARY DEVELOPMENT PLAN<br><b>9737 CHAPMAN AVENUE</b><br>PROMENADE MALL - SEES CANDY & CITI BANK PAD |  | DRAWING NUMBER<br>SHEET 1 of 1                            |
| DATE: SEP 23, 2015 11:43:11 AM<br>FILE: W:\PROJECTS\9737 CHAPMAN AVENUE\9737 CHAPMAN AVENUE.DWG           |  | DATE: 10/1/15<br>BY: P. HANCOCK<br>CHECKED BY: P. HANCOCK |
| REFERENCE: ALL AS SHOWN ON THESE IMPROVEMENTS   |  | DATE: SEPTEMBER 2015<br>R.C.E. NO. 15022                  |

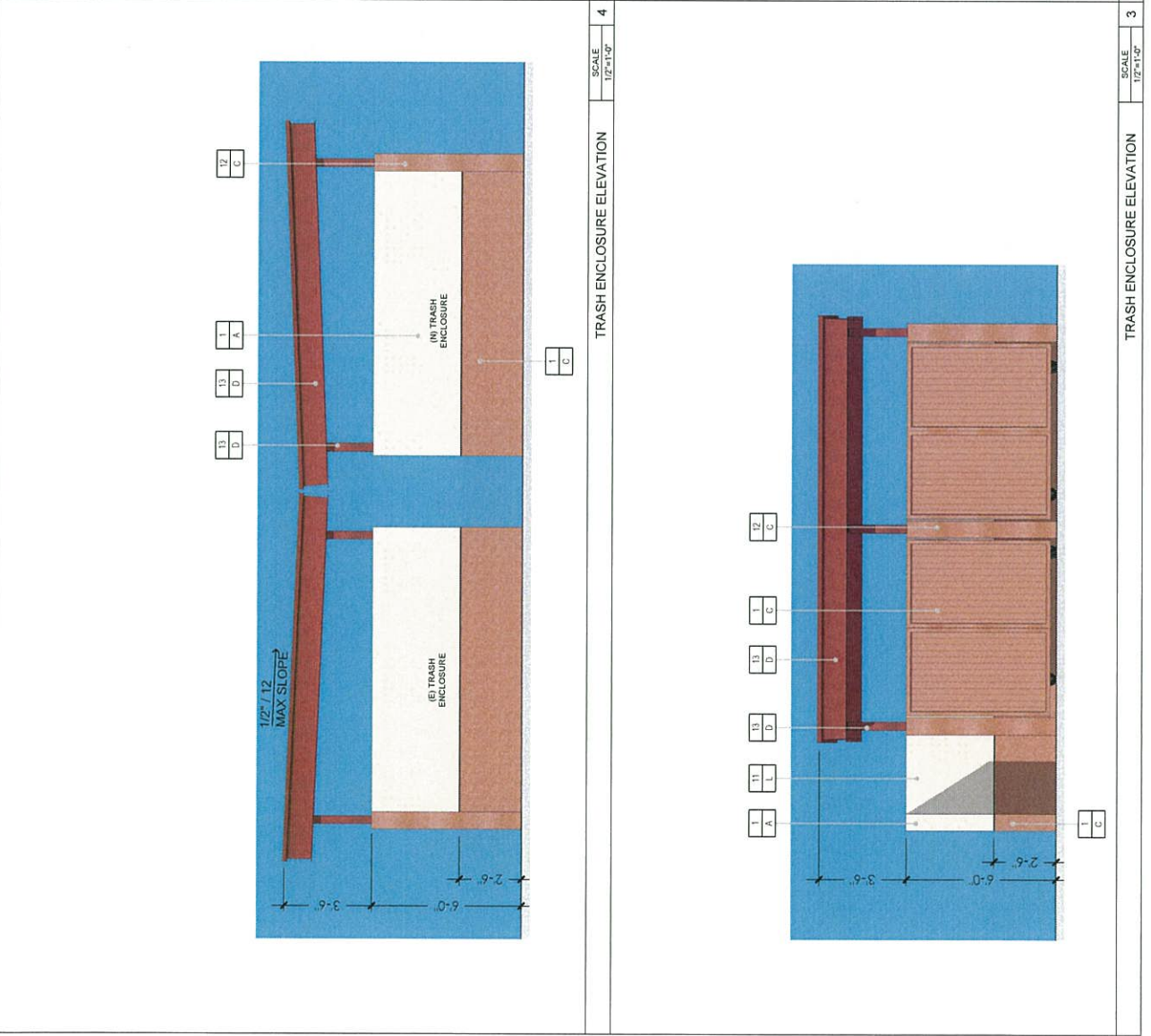
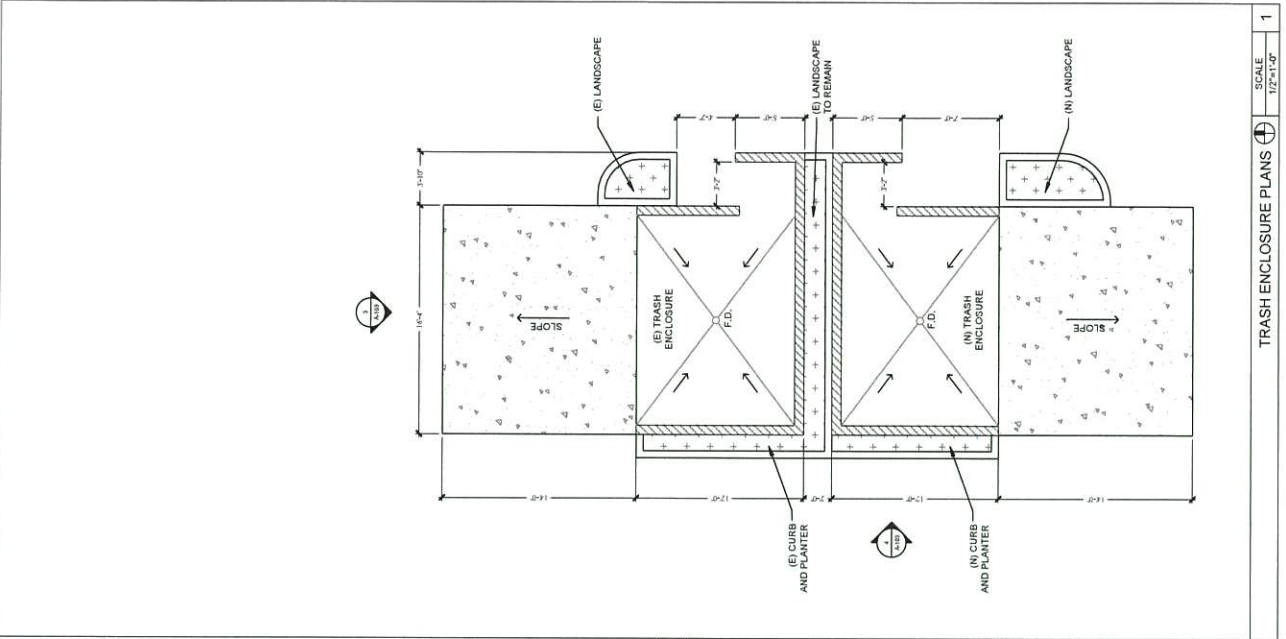
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REGISTERED COMPANY ENGINEER  
 COMPANY: H&A ENGINEERS ARCHITECTS  
 ENGINEER: PAUL R. HANCOCK, R.C.E. NO. 15022  
 DATE: SEPTEMBER 2015

**PROHIBITION ON REPRODUCTION**

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SHEET #  
A-104

SITE PLAN

SHEET TITLE

PROJECT #  
200101

DATE  
24 MAR 2020

REVISIONS

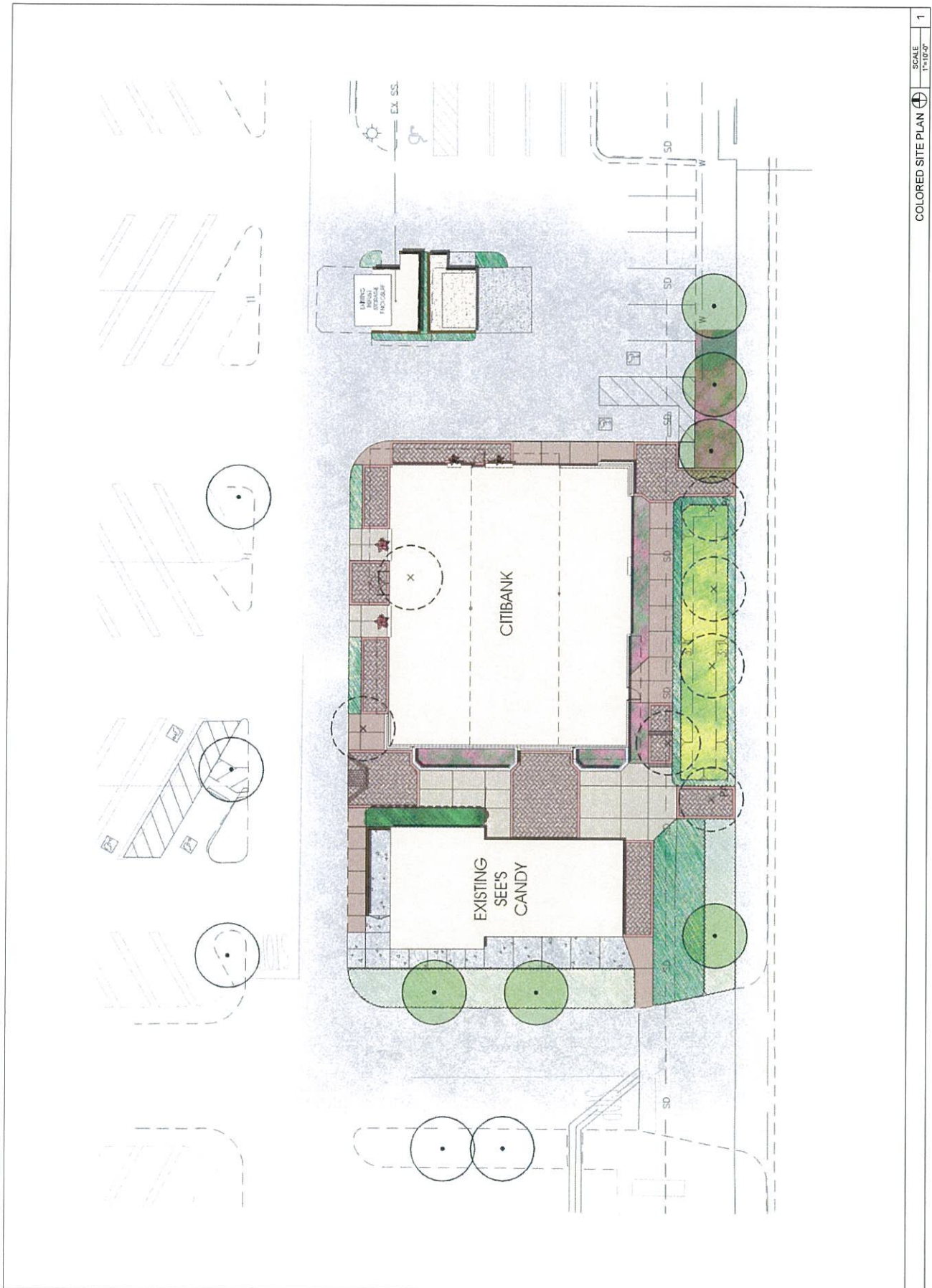
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CITIBANK  
The Promenade  
Garden Grove, CA 92841

PROJECT INFO

SEA

Studio 1 architects  
3333 Central Expressway  
Suite 100  
Fremont, CA 94538  
415-223-7617  
www.studio1arch.com



COLORED SITE PLAN SCALE 1" = 10'-0" 1



NORTH ELEVATION SCALE 3/16"=1'-0" 1



SOUTH ELEVATION SCALE 3/16"=1'-0" 2



EAST ELEVATION SCALE 3/16"=1'-0" 3



WEST ELEVATION SCALE 3/16"=1'-0" 4



SHEET #  
A-500

3D PROJECT  
VIEWS

PROJECT #  
200101

DATE  
16 MAR 2020

REVISIONS

- △
- △
- △
- △
- △
- △
- △
- △

CITIBANK  
The Promenade  
Garden Grove, CA 92841

PROJECT INFO

SCALE

slide 1 architects  
11111 17th Ave  
San Diego, CA 92161  
954-422-7627  
www.slide1.com

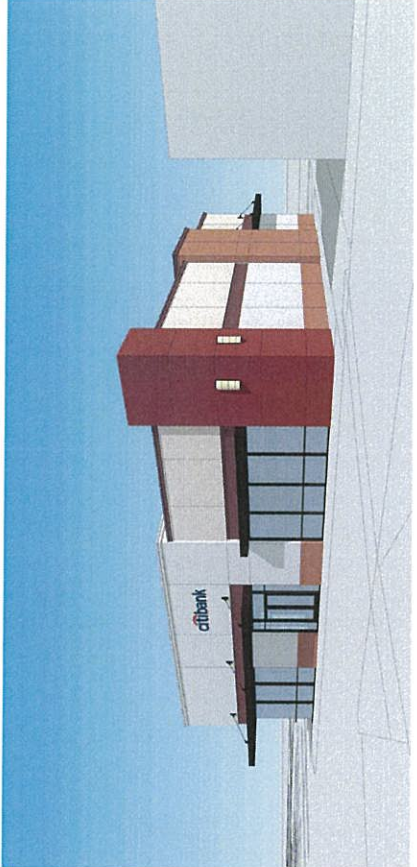
VIEW 4 SCALE NTS 1



VIEW 3 SCALE NTS 3



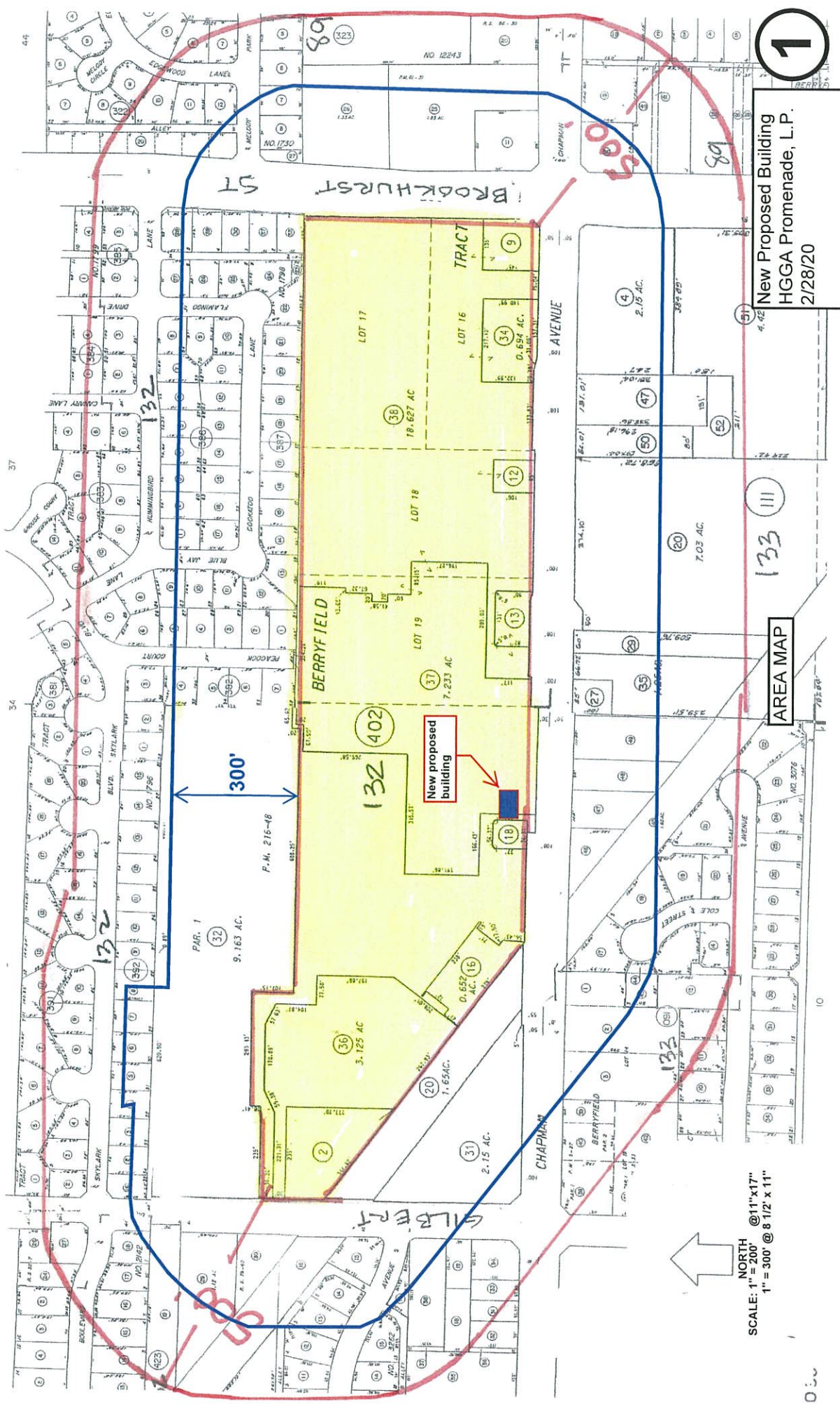
VIEW 2 SCALE NTS 2



VIEW 1 SCALE NTS 4







1

New Proposed Building  
 HGGA Promenade, L.P.  
 2/28/20

AREA MAP

NORTH  
 @11"X17"  
 SCALE: 1" = 200'  
 1" = 300' @ 8 1/2' X 11"







RESOLUTION NO. 5992-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-086-2020 AND LOT LINE ADJUSTMENT NO. LLA-024-2020, FOR PROPERTIES LOCATED ON THE NORTH SIDE OF CHAPMAN AVENUE, WEST OF BROOKHURST STREET, AT 9665 CHAPMAN AVENUE, ASSESSOR'S PARCEL NOS. 132-402-12, 13, 16, 18, 34, 37, AND 38.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on June 18, 2020, does hereby approve Site Plan No. SP-086-2020, and Lot Line Adjustment No. LLA-024-2020, for properties located on the north side of Chapman Avenue, west of Brookhurst Street, at 9665 Chapman Avenue, Assessor's Parcel Nos. 132-402-12, 13, 16, 18, 34, 37, and 38, subject to the Conditions of Approval attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-086-2020 and Lot Line Adjustment No. LLA-024-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by HGGA PROMENADE, L.P. ("The Applicant")
2. The applicant is requesting Site Plan approval to construct a new, 4,200 square foot, one-story bank building for CitiBank along with associated site improvements at the Garden Grove Promenade shopping center, at 9665 Chapman Avenue. In conjunction with the request, the applicant also requests approval of a Lot Line Adjustment to adjust an interior lot line by 61.99 feet, to accommodate the construction of the new building.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the Planning Commission hereby determines that the proposed project is categorically exempt from the CEQA pursuant to Section 15303, New Construction or Conversion of Small Structures, of the CEQA Guidelines (14 Cal. Code Regs., Section §15303) and Section 15305, Minor Alterations In Land Use Limitations, of the CEQA Guidelines (14 Cal. Code Regs., Section §15305).
4. The Garden Grove Promenade shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The subject site, the Garden Grove Promenade, is an existing, approximately 30.98 acres, multi-tenant shopping center with reciprocal parking, located at the northwest corner of Chapman Avenue and Brookhurst Street.
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property has been reviewed.

6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on June 18, 2020, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting on June 18, 2020, and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 and 9.40.190, are as follows:

FACTS:

The subject site, the Garden Grove Promenade, is an existing, approximately 30.98 acres, and multi-tenant shopping center with reciprocal parking located at the northwest corner of Chapman Avenue and Brookhurst Street. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, and medical offices.

The shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The shopping center abuts R-1 (Single-Family Residential) zoned properties to the north; NMU zoned properties to the east, across Brookhurst Street, and to the south, across Chapman Avenue; and O-P (Office Professional) and R-3 (Multiple-Family Residential) zoned properties to the west, across Gilbert Street.

The applicant proposes to construct a new, 4,200 square foot, one-story bank building to provide space for a new CitiBank. The new bank building will be located at the southerly portion of the existing Garden Grove Promenade shopping center, north of Chapman Avenue, and in the area that is designated as a parking lot between See's Candies building and Pad "D" building. This parking lot currently has a total of 39 parking spaces. In order to accommodate the new building, 27 parking spaces will be eliminated, and the parking lot will be restriped, and reconfigured to meet the parking requirements as set forth by the Title 9 of Municipal Code, and to be in compliance with the ADA (American Disability Act) requirements, as well as to ensure vehicle circulation on the subject site. The new building will be served by an existing drive aisle that is located to the north of the new building. Existing on-site circulation will not be modified. Other associated site improvements include adding one (1) new trash enclosure, and installing new landscape, a pedestrian plaza, and walkways. The project is designed to comply with development standards of the Neighborhood Mixed Use zone, as set forth by the Municipal Code.

The Garden Grove Promenade consists of multiple, separated parcels, and there is an existing interior lot line located where the new bank building will be constructed. Since the California Building Code does not allow buildings to be constructed over property

lines, the applicant also requests Lot Line Adjustment approval to adjust the existing interior lot line by 61.99 feet to the east in conjunction with the Site Plan review request.

### FINDINGS AND REASONS:

#### SITE PLAN

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of General Plan, the Municipal Code, and other applicable ordinances.

The Garden Grove Promenade shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The NMU zone is intended to enhance, revitalize, and provide opportunities for new development in neighborhood commercial centers. Banking or financial institutions are permitted uses in the NMU zone. Policy LU-1.3 of the General Plan encourages establishment of a wide variety of retail and commercial services in appropriate locations. Goal ED-2 of the General Plan welcomes new businesses, while supporting and assisting those already located within Garden Grove. The proposed bank building is located within an integrated shopping center. Existing uses in this shopping center include retail stores, a grocery store, restaurants, a movie theater, a fitness center, and medical offices. Having a new bank facility at this location is not only consistent with the development pattern of the shopping center, it also provides additional amenity to the surrounding neighborhood. The proposed project meets all the development standards of the Title 9 of Municipal Code. The proposed project complies with the spirit and intent of the provisions, conditions, and requirements of the General Plan, the Municipal Code, and other applicable ordinances.

2. The proposed development does not adversely affect essential on-site facilities, such as off-street parking, loading and unloading areas, traffic circulation and points of vehicular and pedestrian access.

The proposed development includes the construction of a new, 4,200 square foot bank building, and associated improvements, in an area that is improved with a parking lot that is located on the southerly portion of the Promenade shopping center, along Chapman Avenue. The Garden Grove Promenade is an integrated shopping center with shared parking. Currently, the center provides a total of 1,999 parking spaces that are distributed across the site and shared among all tenants. Based on the existing uses, the center is required to maintain 1,581 parking spaces to meet its minimum parking demand. With 1,999 spaces already available, the center has a parking surplus of 418 parking spaces. The required parking for the bank is 28 spaces

As part of the request, 27 parking spaces at the proposed location will be eliminated to leave space for the new bank building. As a result, the total parking spaces

available on-site will be 1,972 spaces. The required parking for the center is be 1,633 spaces, which include 28 parking spaces for the bank and 24 parking spaces required for the indoor playground under separated application. The center will continue to maintain a surplus of 339 parking spaces. With such surplus, the site exceeds the minimum parking spaces required to support the increase in parking demand.

Other on-site facilities will remain unchanged. The new project site will be served by an existing drive aisle located to the north of the new building. Existing on-site circulation will not be modified. Thus, the proposed development does not adversely affect essential on-site facilities, such as off-street parking, loading, and unloading areas, traffic circulation and points of vehicular and pedestrian access.

3. The proposed development does not adversely affect essential public facilities, such as streets and alleys, utilities and drainage channels.

The streets in the areas are adequate to accommodate the development. Existing utilities and drainage channels in the area are adequate to accommodate the development. The proposed development will continue to maintain landscaping and proper maintenance of the site, thereby not adversely impacting the area. The Public Works Department has reviewed the project and has incorporated all the appropriate conditions of approval to minimize any adverse impact.

4. The proposed development shall be compatible with the physical, functional and visual quality of the neighboring uses and desirable neighborhood characteristics.

The subject development is located in an existing integrated shopping center. The proposed project will be compatible with the rest of the shopping center as well as the surrounding neighborhood. The proposed bank building is designed to maintain architectural consistency with the Garden Grove Promenade. The bank building will be single-story, and 24'-0" feet tall from the finish grade to the top to the parapet and will incorporate a contemporary architectural style matching the rest of the shopping center. The design also effectively uses different architectural features such a parapet, metal siding, and different building massing to eliminate the appearance of box-shaped design. The exterior finish will consist of earthy colors that includes white and various tones of brown colored stucco. The building also has metal canopies at the main and side entrances on the north and east elevations. Thus, the development does have a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

5. Through the planning and design of buildings and building placement, the provision of open space, landscaping and other site amenities will attain an attractive environment for the occupants of the property.



Approximately 1,900 square feet of landscaping will be added to the project site to comply with the landscaping requirements of Title 9 of the Municipal Code. New landscaping will be added to the front setback along Chapman Avenue, to the surrounding areas of the new building, and around the new trash enclosure. New landscaping treatment includes new raised flower beds, new decorative planters, new shrubs, and drought tolerant plants. In addition, pedestrian walkways will be enhanced with colored concreted paving, and decorative pavers that match with existing on-site improvements. The project will comply with the landscaping and water efficiency requirements of Title 9 of the Municipal Code.

The proposed project also provides a new 1,000 square foot pedestrian plaza located between the existing See's Candies building and the new bank building to meet the development standards of NMU zone. The pedestrian plaza will be oriented toward Chapman Avenue. The plaza will be accessible from the southerly public right-of-way by a new concrete walkway, and from the northerly drive aisle within the shopping center by a new ADA compliant path of travel. The plaza will have the same landscaping treatment, including raised planter beds and drought tolerant plants, with the rest of the project site to ensure consistency across the site. The additional landscaped area along Chapman Avenue and new pedestrian plaza will enhance the aesthetic of the Promenade shopping center.

#### LOT LINE ADJUSTMENT

1. The parcels, as the result of the Lot Line Adjustment, will conform to the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and State Subdivision Map Act.

The Garden Grove Promenade shopping center has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The NMU zone is intended to enhance, revitalize, and provide opportunities for new development in neighborhood commercial centers. Since the Garden Grove Promenade consists of multiple, separated parcels (Parcel A and B), there is an interior lot line at the proposed location where the new bank building will be constructed. The California Building Code does not allow buildings to be constructed over the property lines; therefore, a lot line adjustment is necessary to prevent the new building to be built over the property line. As a result, an approximately 7,440 square feet will be transferred from Parcel B to Parcel A. After the Lot Line Adjustment, the total lot size of Parcel A will be 22.32 acres, while Parcel B will be 7.06 acres. The total lot size of the shopping center will remain unchanged, and no additional parcel will be created as the result of the Lot Line Adjustment, which complies with the Title 9 of Municipal Code.

In addition, Lot Line Adjustment approval is necessary to accommodate the construction of the new bank building. Policy LU-1.3 of the General Plan encourages establishment of a wide variety of retail and commercial services in appropriate

locations, Goal ED-2 of the General Plan welcomes new businesses, while supporting and assisting those already located within Garden Grove. Having a new bank facility at this location is not only consistent with the development pattern of the shopping center, it also provides additional amenity to the surrounding neighborhood. Thus, approving the Lot Line Adjustment request will conform to the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and State Subdivision Map Act.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. The Lot Line Adjustment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.40.190.
3. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the following Conditions of Approval, attached as "Exhibit A", shall apply to Site Plan No. SP-086-2020 and Lot Line Adjustment No. LLA-024-2020.

Adopted this 18<sup>th</sup> day of June 2020

## **EXHIBIT "A"**

### **Site Plan No. SP-086-2020 Lot Line Adjustment No. LLA-024-2020**

9665 Chapman Avenue

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. The applicant and each owner of the property shall execute, and the applicant shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required within 30 days of this approval.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, HGGA Promenade, L.P., the developer of the project, the owner(s) and tenant(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission.
3. Approval of this Site Plan and Lot Line Adjustment shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

#### **Engineering Division**

6. The applicant shall be subject to Traffic Mitigation Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other

- applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
7. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
  8. Any new modification to the existing drive approach to the site shall be in accordance with Garden Grove Standard B-120 (Option #3).
  9. All driving aisles shall have a minimum width of 25 feet in accordance with City of Garden Grove Standard B-311.
  10. All parking spaces that abut sidewalks that are not elevated with a curb face to the stall, if any, shall have wheel stops in order to prevent vehicle overhang into sidewalk. Minimum 6-foot width sidewalk is required for parking spaces that are utilizing elevated sidewalk curb face as a wheel stop and must maintain 4-foot minimum from the overhang of the vehicle bumper for ADA pathway.
  11. No parallel curb parking shall be permitted anywhere on the site.
  12. The applicant shall provide the City with documentation on existing reciprocal access agreement on the southwest corner of See's Candies property. Should no agreement exist, the applicant shall enter into an agreement with the adjacent property owner and record said agreement in a manner meeting the approval of the City Engineer prior to the issuance of a grading permit.
  13. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the precise grading plans.
  14. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.

15. A separate street permit is required for work performed within the public right-of-way.
16. Grading improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30 feet outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Grading improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
17. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
18. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition.
19. Prior to issuance of a grading permit, the applicant shall submit to Planning Services Division an updated title report along with copies of the recorded instruments listed in the title report, reference maps used to prepare legal description and the plat for review and approval of the Lot Line Adjustment application.
20. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.
21. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
  - a. Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
  - b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
  - c. Incorporates structural and Treatment Control BMPs as defined in the DAMP.

- d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
  - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
  - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
22. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
- a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
  - b. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
  - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site.
  - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
23. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502:
- a. Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash.
  - b. Provide solid roof or awning to prevent direct precipitation.
  - c. Connection of trash area drains to the municipal storm drain system is prohibited.
  - d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control.
  - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
  - f. The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.

24. The applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and benchmarks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and his contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced, or new ramps are installed. The Applicant and his contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.
25. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:
  - a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division Prior to installation.
26. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.
27. Prior to issuance of a grading permit, the applicant submit and obtain approval of a work-site traffic control plan, satisfactory to the City Traffic Engineer.
28. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
29. Any required lane closures should occur outside of peak travel periods.
30. Construction vehicles should be parked off traveled roadways in a designated parking.
31. Prior to issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size storm drains per the Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B or City of Garden Grove Standard B-209. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.

32. Prior to issuance of a building permit, the applicant shall design and construct street frontage improvements as identified below:

Chapman Avenue

- a. Remove and replace the existing westerly substandard driveway approach to the site on Chapman Avenue in accordance with City of Garden Grove Standard Plan B-120 (Option #3).
- b. The applicant shall locate all existing public utilities that front the property prior to commencement of grading operation and mobilization.
- c. The applicant shall coordinate with City's Public Works Department (Engineering, Water Services and Streets Division) and setup appointments for preconstruction inspections for the existing water line and the 72-inch storm drain that are fronting the property (behind public right-of-way) prior to commencement of grading operation and mobilization.
- d. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Chapman Avenue with Planning Services Division and Water Division.
- e. Any proposed new landscaping in public right of way shall be consistent with the existing landscaping with the Promenade shopping center and approved by Planning Services Division and Public Works Streets Division.

**Public Works Environmental Division**

33. The applicant shall comply with all applicable Construction Waste Management Plan (CWMP) requirements.

**Public Works Water Services Division**

34. New water service installations 2 inches and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3 inches and larger, shall be installed by developer/owner's contractor per City Standards.
35. Water meters shall be located within the City right-of-way. Fire services and large water services 3 inches and larger, shall be installed by contractor with class A or C-34 license, per City water standards and inspected by approved Public Works inspection.



36. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.
37. It shall be the responsibility of owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.
38. A composite utility site plan shall be part of the water plan approval.
39. There is an existing water easement on property for an 8-inches water main, running east to west. The easement is located on the south portion of the property.
40. There shall be a minimum 15-foot clearance of building footings from water main. Clearances less than 15 feet shall be reviewed and approved by Water Engineering.
41. There shall be no structures or utilities built on or crossing water or sewer main easements.
42. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
43. There shall be a minimum clearance from sewer main and water main of 10 feet from outside of pipe to outside of pipe.
44. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
45. If required, fire service shall have above-ground backflow device with a double-check valve assembly. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Services Division.

46. Water meters and boxes shall be installed by City forces upon payment of applicable fees and after new water system (including water services) pass all bacteriological and pressure tests.
47. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
48. Location and number of fire hydrants shall be as required by Water Services Division and the Orange County Fire Authority (OCFA).
49. Owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6 inches minimum diameter, extra strength VCP with wedgelock joints.
  - a. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.
  - b. All perpendicular crossings of the sewer, including laterals, shall maintain a vertical separation of minimum 12 inches below the water main, outer diameter to outer diameter. All exceptions to the above require a variance from the State Water Resources Control Board.

#### **Building and Safety Division**

50. The project shall comply with the requirements of the 2019 California Building Standards Code.
51. The project shall comply with the path-of-travel requirements per California Building Code (CBC) 11B-202.4.
52. A soil report per the California Building Code (CBC) Chapter 18 shall be required.

#### **Orange County Fire Authority**

53. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to the Fire Master Plan.

#### **Community and Economic Development Department**

54. No outside display of merchandise shall be permitted at any time.
55. A prominent, permanent sign, stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES," shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near

or at the entrance, and shall also be visible to the public.

56. Deliveries to or from the premises may be permitted 24 hours a day. However, in the event any issues are identified, relating to, but not limited to noise issues, which cause a nuisance to surrounding uses, the City may restrict deliveries to or from the premises between the hours of 10:00 p.m. and 8:00 a.m., seven days a week.
57. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
58. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
59. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
60. Any satellite dish antennas installed on the premises shall be screened, subject to approval by the Community and Economic Development Department, Planning Services Division. No advertising material shall be placed thereon.
61. New signs shall comply with the center's approved Sign Program. A building permit shall be required to install any sign, including temporary advertising (i.e., banners).
62. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Chapter 8.47 as adopted, except that:
  - a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
  - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in Chapter 8.47 of the Municipal Code.
63. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather

- than diesel or gasoline powered generators, and using methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, using solar or low-emission water heaters, and using low-sodium parking lot lights, to ensure compliance with Title 24.
64. As a part of the finalized working drawings for the Planning Services Division, Engineering Division, and Building and Safety Division, the developer shall submit a detailed and dimensioned plot plan, floor plans, exterior elevations, and landscape plans that reflect the above conditions of approval. The plans shall indicate landscape materials, wall materials and building materials proposed for the project.
  65. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Services Division. Lighting adjacent to residential properties shall be restricted to low, decorative type, wall-mounted lights, or ground lighting system. Lighting in the common and parking areas shall be directed, positioned or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences. Parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two-foot candles of light, and one-foot candle of light during all other hours of darkness.
  66. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Services Division, for review and approval prior to submittal of plans for Building Division, Plan Check. The project shall also be subject to the following:
    - a. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Services Division.
    - b. No roof or wall mounted mechanical equipment shall be permitted unless the Planning Services Division approves a method of screening complementary to the architecture of the building, prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets, including the surrounding properties.
  67. The applicant shall submit a complete landscape plan governing the entire development for review and approval by the Community and Economic Development Department prior to building permit issuance. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code, including the City's Water Efficiency Guidelines, as well as recently adopted provisions by the State of California concerning drought tolerant landscape measures. Said plan shall include type,

size, location and quality of all plant material. This includes enhanced landscaping for the walkway areas. The plan shall include an irrigation plan, and staking and planting specification. The landscape plan is subject to the following:

- a. A complete, permanent, automatic remote control irrigation system shall be provided for all common area landscaping shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
  - b. All above-ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscape plan in order to ensure proper landscape screening and will be provided around each of these equipment/apparatus.
  - c. The applicant shall be responsible for the installation and maintenance of all landscaping on the property during and after the construction period. Said responsibility shall extend to within the public right-of-way.
  - d. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. All proposed trees shall be non-fruit bearing, evergreen trees that require minimal maintenance.
  - e. No trees shall be planted closer than five feet (5') from the public right-of-way. Trees planted within fifteen feet (15') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages, adjacent to driveways, shall be of the low-height variety to ensure safe sight clearance.
  - f. All new landscaping shall be consistent in type and species with existing landscaping within the shopping center.
68. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
69. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.
70. All on-site curbs, not associated with a parking space, shall be painted red.

71. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:
  - a. There shall be no business activities, or storage permitted outside of the building. All business related equipment and material shall be kept inside the building except for loading or unloading purposes.
  - b. Property owners, tenants, employees, and business operators shall not store vehicles anywhere on the site.
  - c. The trash enclosure shall match the color and material type used for the existing trash enclosure and shall be gated. The trash bins shall be kept inside the trash enclosure, and gates closed at all times except during disposal and pick-up. The property owner shall provide sufficient trash bins and pick-up to accommodate the site. The trash shall be picked up at least once per week.
  - d. All drive aisles on the site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles.
72. The proposed development shall comply with all applicable provisions of the Garden Grove Local Implementation Plan (LIP), including but not limited to, providing a Water Quality Management Plan (WQMP) and Section 7 addressing reducing water run-off from the site (e.g., directing roof rain gutter's downspouts to permeable areas such as landscape planters).
73. The applicant shall work with the Planning Services Division to ensure that the proposed building colors are appropriate and not overly bright. The applicant shall submit the actual chip samples of the proposed paint colors to the Planning Services Division for review and approval.
74. A copy of the resolution approving Site Plan No. SP-086-2020 and Lot Line Adjustment No. LLA-024-2020 including these Conditions of Approval, shall be kept on the premises at all times.
75. The applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-086-2020 and Lot Line Adjustment No. LLA-024-2020, and his/her agreement with all conditions of the approval.
76. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-086-2020 and Lot Line Adjustment No. LLA-024-2020. The applicant shall pay the City's defense costs, including attorney fees and all

other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

77. It shall be the applicant's responsibility to verify that any building or site improvements do not impermissibly interfere with any recorded easements on the subject property or the adjacent properties.
78. Unless a time extension is granted pursuant to Section 9.32.030.D.9 and Section of Title 9 of the Municipal Code, the use authorized by this approval of Site Plan Site Plan No. SP-086-2020 and Lot Line Adjustment No. LLA-024-2020 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

|  |                                |
|--|--------------------------------|
| <b>AGENDA ITEM NO:</b> D.6             | <b>SITE LOCATION:</b> Citywide |
| <b>HEARING DATE:</b> June 18, 2020     | <b>GENERAL PLAN:</b> N/A       |
| <b>CASE NO:</b> N/A                    | <b>ZONE:</b> N/A               |
| <b>APPLICANT:</b> City of Garden Grove | <b>CEQA DETERMINATION:</b> N/A |

## **REQUEST:**

A request for the Planning Commission to recommend City Council approval of a resolution adopting a Vehicle Miles Traveled ("VMT") threshold of significance to comply with the California Environmental Quality Act (CEQA) as well as adopting Traffic Impact Analysis Guidelines for VMT and Level of Service Assessment.

## **BACKGROUND:**

In 2013, former Governor Jerry Brown signed Senate Bill 743 ("SB 743"). SB 743 addressed a variety of topics and was designed to better promote statewide policies that: (a) combat climate change by reducing greenhouse gas emissions and particulates; (b) encourage infill development and a diversity of uses instead of sprawl; and (c) promote multi-modal transportation networks.

To implement these goals, SB 743, among other things, addressed the methodology to identify transportation impacts under CEQA. For CEQA purposes, transportation impacts have generally been measured by automobile delay or congestion, otherwise known as "Level of Service" or "LOS." SB 743 required the CEQA Guidelines to be amended to establish an alternative method for evaluating transportation impacts.

On December 28, 2018, the Office of Administrative Law approved a comprehensive update to the CEQA Guidelines, including the selection of Vehicle Miles Traveled (VMT) as the new method to analyze CEQA transportation impacts. Automobile delay, or LOS, may no longer be used to determine significant transportation effects under CEQA.

VMT focuses on the overall miles traveled by vehicles within a region. This approach has an added inherent emphasis on reducing greenhouse gas emissions throughout the State because the State believes it will not be possible to meet long-term climate goals without reducing VMT. All cities in the State of California are required to use VMT analysis in their CEQA documents no later than July 1, 2020.



The City has contracted with Fehr & Peers, a firm with extensive experience in VMT analysis, to assist in reviewing and developing appropriate VMT thresholds and guidelines for the City of Garden Grove.

### **DISCUSSION:**

After working with Fehr & Peers, it is recommended that the City adopt the California Office of Planning and Research's (OPR) currently recommended VMT threshold: a 15 percent reduction below existing baseline conditions.

Fehr & Peers also provided recommendations regarding: (1) VMT analysis methodology; and (2) potential VMT mitigation strategies. The City's selected VMT threshold, analysis methodology, and potential mitigation strategies have been incorporated in the City's proposed Traffic Impact Analysis Guidelines for VMT and Level of Service Assessment (Exhibit 1). Fehr & Peers and City Staff will provide a presentation and discuss the proposed recommendations in more detail at the Planning Commission's meeting.

In addition, the City's General Plan was reviewed to determine if it is consistent with the legislative intent of SB 743. The following goals and policies support the three goals of SB 743:

1. Promotion of Infill Development
  - a. Policy LU-1.9, LU-1.10 AQ-5.2: Coordinate land use planning with existing or planned public facilities
2. Promotion of Active Transportation
  - a. Policy CIR-6.1: Supports the Master Plan of Bikeways
  - b. Policy CIR-5.1, CIR-IMP-10E, CIR-IMP-10F, AQ-3.2, AQ-IMP-3C: Promote, expand, and enhance transit service
  - c. Policy CIR-5.3, CIR-5.4, CIR-6.3, CIR-IMP-6C, AQ-IMP-2B, AQ-IMP-3D, AQ-4.1: Promotes, expands, and enhances active transportation modes
3. Reducing Greenhouse Gases (GHG)
  - a. Policy CIR-4.2, CIR-4.3, CIR-10.3, CIR-11.5: Reduce miles travelled by residents and employees
  - b. Policy CIR-5.5, CIR-IMP-5A – CIR-IMP-5C, CIR-IMP-10D, CIR-IMP-11C, CIR-IMP-11D, AQ-IMP-1B: Promote Transportation Demand Management (TDM) Measures

These Policies are shown in more detail in Exhibit 2.

The adoption of VMT thresholds for CEQA purposes does not preclude the City from using LOS analysis for non-CEQA purposes, such as to evaluate consistency with the City's General Plan and Congestion Management Plan requirements.

**RECOMMENDATION:**

Staff recommends that the Planning Commission:

- Recommend to the City Council approval of a resolution adopting a Vehicle Miles Traveled (VMT) threshold related to transportation analysis for California Environmental Quality Act compliance as well as adopting Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment.



Dai C. Vu, P.E.  
Traffic Engineer

Exhibits:

- 1) A Resolution of the City Council of the City of Garden Grove Adopting Traffic Impact Guidelines for Vehicle Miles Traveled and Level of Service Assessment.
  - o Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment.
- 2) City of Garden Grove General Plan Policies

# EXHIBIT 1

## RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING "VEHICLE MILES TRAVELED" THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TRAFFIC IMPACT ANALYSIS GUIDELINES FOR VEHICLE MILES TRAVELED AND LEVEL OF SERVICE ASSESSMENT

WHEREAS, the California Environmental Quality Act Guidelines ("CEQA Guidelines") encourage public agencies to develop and publish generally applicable "thresholds of significance" to be used in determining the significance of a project's environmental effects; and

WHEREAS, CEQA Guidelines section 15064.7(a) defines a threshold of significance as "an identifiable quantitative, qualitative or performance level of a particular environmental effect, noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant"; and

WHEREAS, CEQA Guidelines section 15064.7(b) requires that thresholds of significance for general use must be adopted by ordinance, resolution, rule, or regulations, developed through a public review process, and be supported by substantial evidence; and

WHEREAS, pursuant to CEQA Guidelines section 15064.7(c), when adopting thresholds of significance, a public agency may consider thresholds of significance adopted or recommended by other public agencies provided that the decision of the agency is supported by substantial evidence; and

WHEREAS, Senate Bill 743, enacted in 2013 and codified in Public Resources Code section 21099, required changes to the CEQA Guidelines regarding the criteria for determining the significance of transportation impacts of projects; and

WHEREAS, in 2018, the Governor's Office of Planning and Research ("OPR") proposed, and the California Natural Resources Agency certified and adopted, new CEQA Guidelines section 15064.3 that identifies vehicle miles traveled ("VMT") - meaning the amount and distance of automobile travel attributable to a project - as the most appropriate metric to evaluate a project's transportation impacts; and

WHEREAS, as a result, automobile delay, as measured by "level of service" ("LOS") and other similar metrics, will no longer constitute a significant environmental effect under CEQA; and

WHEREAS, the City of Garden Grove, following internal study and a public review process consisting of a staff presentation and public hearing before the Planning Commission, wishes to adopt VMT thresholds of significance for purposes of CEQA consistent with OPR's recommendations and guidelines for analyzing potential transportation impacts of proposed development projects; and

WHEREAS, following a public hearing on June 18, 2020, the Garden Grove Planning Commission recommended the City Council adopt this Resolution; and

WHEREAS, on July 14, 2020, the City Council held a duly noticed public hearing to consider this Resolution, at which all persons interested were given an opportunity to be heard.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garden Grove as follows:

**Section 1.** The City of Garden Grove hereby adopts the Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Services Assessment ("Guidelines") that are attached as Exhibit A to this Resolution, including the Vehicle Miles Traveled ("VMT") thresholds of significance for purposes of analyzing transportation impacts under the California Environmental Quality Act ("CEQA") contained therein. The VMT thresholds set forth in the Guidelines are consistent with the California Governor's Office of Planning and Research's ("OPR's") recommendations. These thresholds of significance have been developed through a public review process and are supported by substantial evidence, as required by CEQA Guidelines section 15064.7.

**Section 2.** This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

**EXHIBIT A**



**City of Garden Grove Draft Traffic Impact  
Analysis Guidelines for Vehicle Miles  
Traveled and Level of Service Assessment**

FEHR  PEERS

**May 2020**

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# Development of TIA Guidelines

## Background Information

SB 743, signed by the Governor in 2013, is changing the way transportation impacts are identified. Specifically, the legislation has directed the Office of Planning and Research (OPR) to look at different metrics for identifying transportation as a California Environmental Quality Act (CEQA) impact. The Final OPR guidelines were released in December 2018 and identified Vehicle Miles Traveled (VMT) as the preferred metric moving forward. The Natural Resources Agency completed the rule making process to modify the CEQA guidelines in December of 2018. The CEQA Guidelines identify that, by July of 2020 all lead agencies must use VMT as the new transportation metric for identifying impacts for land use project.

In anticipation of the change to VMT, the City of Garden Grove undertook the Garden Grove SB 743 Implementation Study to assist with answering important implementation questions about the methodology, thresholds, and mitigation approaches for VMT impact analysis. The study includes the following main components.

- Thresholds Evaluation Memorandum – Potential thresholds Garden Grove can consider when establishing thresholds of significance for VMT assessment
- Analysis Methodologies Memorandum – Recommendations of analysis methodologies for VMT impact screening and analysis
- Mitigation Memorandum – Types of mitigation that can be considered for VMT mitigation

Due to the State of California's July 1, 2020 deadline to adopt VMT impact thresholds, the following components will be completed after July 1, 2020.

- Tools Evaluation Memorandum – Types of tools that could be used to estimate VMT and the pros/cons associated with each tool
- VMT Screening and Mitigation Recommendation Tool – A spreadsheet tool that can be used for VMT screening and mitigation recommendation.

The City of Garden Grove can utilize the information produced through the Implementation Study to adopt a methodology and significance thresholds for use in CEQA compliance. As noted in CEQA Guidelines Section 15064.7(b) below, lead agencies are encouraged to formally adopt their significance thresholds and this is key part of the SB 743 implementation process.

*(b) Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence. Lead agencies may also use thresholds on a case-by-case basis as provided in Section 15064(b)(2).*

The City of Garden Grove has produced these Transportation Impact Analysis (TIA) Guidelines to outline the specific steps for complying with the new CEQA expectations for VMT analysis and the applicable general plan consistency requirements related to Level of Service (LOS).



It should be noted that CEQA requirements change as the CEQA Guidelines are periodically updated and/or legal opinions are rendered that change how analysis is completed. As such, the City of Garden Grove should continually review their guidelines for applicability and consultants should contact the City to ensure that they are applying the City's most recent guidelines for project impact assessment.

### **Is Level of Service Still Important?**

The City of Garden Grove has LOS standards. The LOS standards apply to discretionary approvals of new land use and transportation projects. Therefore, this TIA guidelines document also includes instructions for vehicle LOS analysis consistent with City requirements.

## **Traffic Impact Analysis Guidelines**

State and Federal laws require the correlation of Land Use Element building intensities in a General Plan with the Circulation Element capacity. A Traffic Impact Analysis (TIA) is required by the City of Garden Grove so that the impact of land use proposals on the existing and future circulation system can be adequately assessed and to ensure that the California Environmental Qualities Act (CEQA) and Congestion Management Program laws and guidelines are met.

The following TIA guidelines identify CEQA based requirements and non-CEQA based requirements intended for any person or entity who is proposing development in the City of Garden Grove and should be used in coordination with the City's Local CEQA Guidelines and Garden Grove Municipal Code to guide the development review process.

For the past several decades, the preparation of a TIA was integrated into the CEQA process, in which the TIA was used primarily to analyze a project's impacts under CEQA using intersection and/or roadway segment levels of service (LOS). However, with the passage of Senate Bill (SB) 743, changes to the TIA process are necessary. Specifically, a TIA may be needed as a stand-alone document which is a requirement of project approval and will include information for the decision makers that is not required as part of the CEQA process.

The purpose of Transportation Impact Analysis (TIA) Guidelines is to provide general instructions for analyzing the potential transportation impacts of proposed development projects. These guidelines present the recommended format and methodology that should generally be utilized in the preparation of TIAs.

### **CEQA Changes**

Since the last TIA Guidelines update completed by the City, SB 743 was signed into law. A key element of this law is the elimination of auto delay, Level of Service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant environmental impacts. This change is intended to assist in balancing the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.

SB 743 includes amendments to current congestion management law that allows cities and counties to effectively opt-out of the LOS standards that would otherwise apply in areas where Congestion Management Plans (CMPs) are still used (including Orange County). Further, SB 743 required the Governor's Office of Planning and Research (OPR) to update the CEQA Guidelines and establish criteria for determining the significance of transportation impacts. In December 2018, OPR released their final recommended guidelines based on feedback from the public, public agencies, and various organizations and individuals. OPR recommended Vehicle Miles Traveled (VMT) as the most appropriate measure of project transportation impacts for land use projects and land use plans. For transportation projects, lead agencies may select their own preferred metric but must support their decision with substantial evidence that complies with CEQA expectations. SB 743 does not prevent a city or county from continuing to analyze delay or LOS outside of CEQA review for other transportation planning or analysis purposes (i.e., general plans, impact fee programs, corridor studies, congestion mitigation, or ongoing network monitoring).

## Guidelines Organization

The remainder of this guidelines document is organized as follows. We have attempted to organize this memorandum to provide background information, assessment for congestion management/General Plan Consistency (e.g. LOS analysis), and CEQA assessment (e.g. VMT analysis).

1. Introduction
2. Non-CEQA Transportation Assessment
3. CEQA Assessment - VMT Analysis
4. CEQA Assessment - Active Transportation and Public Transit Analysis
5. Transportation Impact Analysis Format



# Introduction

An applicant seeking project approval will submit the proposed project to the City with a planning and land used approval application. After a preliminary review of the project by City Staff, the applicant will be notified by the project planner as to whether or not a TIA is required.

The Traffic Impact Analysis (TIA) should consider changes in both Level of Service (LOS) and VMT .

A TIA which includes LOS analysis shall be required for a proposed project when either the AM or PM peak hour trip generation from the proposed development is expected to exceed 50 vehicle trips. *Traffic study may be required for smaller projects based on land use and location per City's discretion.*

Furthermore, a TIA which includes VMT assessment shall be required for a proposed project that does **NOT** satisfy the identified project screening criteria:

- Transit Priority Areas Screening
- Low VMT-generating Areas Screening
- Project Type Screening

See Section, "CEQA Assessment - VMT Analysis" for details on this screening criteria.

Projects may be screened from VMT analysis and require level-of-service analysis, or vice-versa. In cases where insufficient information is available to make a preliminary assessment of a proposal's effect on traffic, the City Traffic Engineer shall determine, at his or her discretion, whether a TIA will be required.



# Non-CEQA Transportation Assessment

## Level of Service Analysis Procedure

Traffic analysis should be prepared under the direction and/or by registered traffic engineer, registered civil engineer, or qualified transportation planner. To establish a mutually agreeable scope of work for the traffic analysis, the analyst and project applicant shall meet with Planning Department staff and Traffic Engineering staff to identify study area, assumptions, and methodologies of the traffic analysis. The City Traffic Engineer has the authority to approve or modify the study area, assumptions, and methodologies of the traffic analysis.

### Traffic Counts

The traffic analysis should not use any traffic counts that are more than two years old without approval of the City Traffic Engineer. If traffic counts taken within the last two years are not available, then new traffic counts shall be collected by a qualified data collection firm. Turning movement data at the study intersections should be collected in 15-minute intervals during the hours of 7:00 AM to 9:00 AM, and 4:00 PM to 6:00 PM, unless the City Traffic Engineer specifies other hours (e.g., for a signal warrant determination or weekend analysis). Unless otherwise required, all traffic counts should generally be conducted when local schools or colleges are in session, on days of good weather, on Tuesdays through Thursdays during non-Summer months, and should avoid being taken on weeks with a holiday.

### Trip Generation

City of Garden Grove will accept the trip generation rate of the latest edition of the Trip Generation Manual published by the Institute of Transportation Engineers. In addition, analysis for a proposed project with trip generation rates not provided in the ITE Trip Generation Manual, may use rates from other agencies or locally approved studies for specific land uses. Documentation supporting the use of these trip generation rates will be required.

The traffic analysis should include justification for trip generation credits such as existing uses, transit, and internal capture. The pass-by traffic credit should be calculated based upon the Institute of Transportation Engineer data or city approved special studies.

### Trip Distribution and Assignment

Description of trip distribution and assignment for vehicle trips to and from the site along specific roadways that will be utilized by project generated traffic is required. The basic methodology and assumptions used to develop trip distribution and assignments must be clearly stated and approved by the City Traffic Engineer. The basis for trip distribution should be linked to the demographic or market data in the area and should consider the project's location relative to the regional roadway system.

The trip assignment for the project should be based on existing and projected travel patterns and the future roadway network and its travel time characteristics. The trip assignment should incorporate the trip generation of the project minus the appropriate credits.

## Traffic Forecasts

The traffic analysis should include the total traffic which is expected to occur at buildout of proposed project. This means that the analyst preparing the traffic study should include all the cumulative effects of proposed developments as well. The latest version of the Orange County Transportation Analysis Model (OCTAM) should be used to generate future year forecasts. Projects which have been approved or planned, but not built in the vicinity of the proposed project should be verified as included in the latest version of the OCTAM model.

## Analysis Methodologies

The City of Garden Grove will use the Intersection Capacity Utilization (ICU) methodology to evaluate the AM and PM peak hour LOS at signalized intersections. The latest version of the Highway Capacity Manual (HCM) methodology will be used to evaluate the AM and PM peak hour LOS at unsignalized intersections. The peak hour will be identified as the highest one-hour period in both AM and PM counted periods, as determined by four consecutive 15-minute count intervals. The following parameters should be used in determining the LOS at the intersections within City of Garden Grove.

### ICU Methodology

- A minimum clearance interval of 0.05 of green time
- Lane capacities of 1,700 per hour per lane for through and turn lanes

### HCM Methodology

- A peak hour factor (PHF) based on observed conditions will be used for the under existing conditions.
- A PHF of 0.92 will be used for future conditions.

Pedestrian activity should be considered on a case by case basis using reductions in saturation flow rates for affected lanes as determined by sound engineering judgement. The HCM is the best source of guidance for assessment of pedestrian influences on flow rates.

## Analysis Scenarios

The following identifies the analysis scenarios that should be evaluated for LOS analysis (at the discretion of the City Traffic Engineer).

- Existing Conditions

Existing traffic conditions: data must have been collected within the previous 2-year period.

- Opening Year

Existing traffic conditions plus ambient growth and traffic from all the development within the study area for which an application has been submitted ("pending projects"), or that have been approved but not yet constructed.

- Opening Year + Project:

Traffic conditions of existing plus ambient growth and approved and pending developments, plus traffic generated by the proposed project.

- Horizon Year:

Build-out of City General Plan combined with build-out of circulation system. OCTAM Build-out projections should be used for this purpose. A General Plan build out analysis is generally required for any project that contributes traffic to an intersection projected to have unacceptable LOS, any project that requires a General Plan Amendment or otherwise proposes development that exceeds the land use intensity assumed for the General Plan, and/or at the discretion of the City Traffic Engineer.

- Horizon Year + Project:

Cumulative traffic conditions of General Plan build-out plus proposed project.

Projects that are to be constructed in more than one phase will require interim year future analysis to address each phase of the development and its associated traffic effects. The year(s) to be analyzed will coincide with the scheduled phasing and will be approved by the City Engineer or designee.

A table is to be included which identifies the forecast LOS for each intersection within the defined study area. This summary table shall present LOS for all scenarios evaluated-including improvements.



## Transportation Effects

The acceptable LOS for intersections in the City of Garden Grove is D or better as established in the City's General Plan. Any intersection operating at a LOS of E or F is considered deficient. Signalized intersections will require improvements if one of the following conditions is met:

- The addition of project traffic to an intersection results in the degradation of intersection operations from acceptable operations (LOS D or better to unacceptable operations (LOS E or F).
- The project-related increase in volume-to-capacity ratio (V/C) is equal to or greater than 0.010 at an intersection that is already operating at LOS E or F.

Unsignalized intersections will require improvements if both of the following conditions is met:

- The addition of project traffic to an intersection results in the degradation of overall intersection operations from acceptable operations (LOS D or better) to unacceptable operations (LOS E or F), and
- The intersection meets peak hour signal warrants either caused by project volumes, or project volumes are added at an intersection that meets peak hour signal warrants in the baseline scenario(s). Peak hour signal warrants should be determined based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD).

The fair share cost for the proposed improvements in the cumulative condition should also be calculated.

## On-Site Parking Analysis

A project provides adequate parking capacity if the project meets Garden Grove Municipal Code parking code requirements. Parking studies are required to support deviations from parking code requirements or the use of reciprocal parking. The parking rates to be used are obtained from Title 9 of the Garden Grove Municipal Code. In cases where the code does not address parking rates for a specific land use, or where deviations from code are proposed, documentation must be included provided by the applicant and/or consulting engineer showing how or where the proposed rates were obtained. The parking analysis must demonstrate that proposed parking supply is adequate to accommodate demand. Shared parking evaluations, in accordance with Title 9 of the Garden Grove Municipal Code will be considered when appropriate.

## Access and Circulation Analysis

The project's effect on access points and on-site circulation shall be analyzed. The analysis shall, as appropriate, include the following:

- Number of access points proposed for the project site.
- Spacing between driveways and intersections.
- Potential signalization of driveways.
- On-site stacking distance. (Including uses with a drive thru.)
- Shared access.
- Turn conflicts/restrictions.
- Adequate sight distance.
- Driveway improvements.
- Pedestrian connections.
- Any other operational characteristics (as identified by City staff).

If the proposed project is a residential or commercial use with privacy gates, the applicant shall provide a stacking analysis for review and approval. The adequacy of the interface with the arterial network will need to be demonstrated and necessary improvements to adjacent intersections may be required.



# CEQA Assessment - VMT Analysis

A key element of SB 743, signed in 2013, is the elimination of automobile delay and LOS as the sole basis of determining CEQA impacts. The updated CEQA Guidelines, released in December 2018, recommend VMT as the most appropriate measure of project transportation impacts. However, SB 743 does not prevent a city or county from continuing to analyze delay or LOS as part of other plans (i.e., the general plan), studies, or ongoing network monitoring.

## Analysis Methodology

For purposes of SB 743 compliance, a VMT analysis should be conducted for land use projects as deemed necessary by the City Traffic Engineer and would apply to projects that have the potential to increase the baseline VMT per service population (e.g. population plus employment) for the City of Garden Grove. Normalizing VMT per service population (e.g. creating a rate by dividing VMT by service population) provides a transportation efficiency metric that the analysis is based on. All assumptions and methodologies of the VMT analysis are subject to review by the City Traffic Engineer.

### Project Screening

There are three types of screening that may be applied to effectively screen projects from project-level assessment. These screening steps are summarized below:

#### Step 1: Transit Priority Area (TPA) Screening

Projects located within a TPA<sup>1</sup> may be presumed to have a less than significant impact absent substantial evidence to the contrary. This presumption may **NOT** be appropriate if the project:

1. Has a Floor Area Ratio (FAR) of less than 0.75;
2. Includes more parking for use by residents, customers, or employees of the project than required by the City;
3. Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Southern California Association of Governments [SCAG]); or

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<sup>1</sup> A TPA is defined as a half mile area around an existing major transit stop or an existing stop along a high-quality transit corridor per the definitions below. Public Resources Code § 21099(a)(7)

Pub. Resources Code, § 21064.3 - 'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Pub. Resources Code, § 21155 - For purposes of this section, a 'high-quality transit corridor' means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

4. Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

To identify if the project is in a TPA, the analyst may review TPA map prepared as part of the City of Garden Grove VMT Impact Analysis Methodologies Assessment memorandum. Additionally, the analyst should confirm with all local transit providers that no recent changes in transit service have occurred in the project area (e.g. addition or removal of transit lines, addition or removal of transit stops, or changes to service frequency).

### **Step 2: Low VMT Area Screening**

Residential and office projects located within a low VMT-generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per resident, per worker, or per service population that is similar to the existing land uses in the low VMT area.

For this screening in Garden Grove, the OCTAM travel forecasting model was used to measure VMT performance for individual traffic analysis zones (TAZs). TAZs are geographic polygons similar to Census block groups used to represent areas of homogenous travel behavior. Total daily VMT per service population (population plus employment) was estimated for each TAZ. This presumption may not be appropriate if the project land uses would alter the existing built environment in such a way as to increase the rate or length of vehicle trips. The project applicant should document whether or not any increase to the trip generation rate or length of vehicle trips is expected.

To identify if the project is in a low VMT-generating area, the analyst may review the Origin-Destination (OD) Methodology: Daily VMT per Service Population Compared to County Average screening map prepared as part of the City of Garden Grove VMT Impact Analysis Methodologies Assessment memorandum. Additionally, as noted above, the analyst must identify if the project is consistent with the existing land use (i.e. if the project is proposing single-family housing, there should be existing single-family housing of approximately the same density) within that TAZ and use professional judgement that there is nothing unique about the project that would otherwise be misrepresented utilizing the data from the travel demand model.

### **Step 3: Project Type Screening**

Some project types have been identified as having the presumption of a less than significant impact. The following uses can be presumed to have a less than significant impact absent substantial evidence to the contrary as their uses are local serving in nature:

- Local-serving K-12 schools
- Local parks
- Day care centers
- Local-serving retail uses less than 50,000 square feet, including:

- Gas stations
- Banks
- Restaurants
- Shopping Center
- Local-serving hotels (e.g. non-destination hotels)
- Student housing projects on or adjacent to a college campus
- Local-serving assembly uses (places of worship, community organizations)
- Community institutions (public libraries, fire stations, local government)
- Affordable, supportive, or transitional housing
- Assisted living facilities
- Senior housing (as defined by HUD)
- Local serving community colleges that are consistent with the assumptions noted in the RTP/SCS
- Projects generating less than 110 daily vehicle trips<sup>2</sup>
  - This generally corresponds to the following “typical” development potentials:
    - 11 single family housing units
    - 16 multi-family, condominiums, or townhouse housing units
    - 10,000 sq. ft. of office
    - 15,000 sq. ft. of light industrial<sup>3</sup>
    - 63,000 sq. ft. of warehousing<sup>3</sup>
    - 79,000 sq. ft. of high cube transload and short-term storage warehouse<sup>3</sup>

Local serving retail projects with a total square footage less than 50,000 square feet may be presumed to have a less than significant impact absent substantial evidence to the contrary. Any project that uses the designation of “local-serving” should be able to demonstrate that its users (employees, customers, visitors) would be existing within the community. The project would not generate new “demand” for the project land uses, but would meet at existing demand that would

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<sup>2</sup> This threshold ties directly to the OPR technical advisory and notes that CEQA provides a categorical exemption for existing facilities, including additions to existing structures of up to 10,000 square feet, so long as the project is in an area where public infrastructure is available to allow for maximum planned development and the project is not in an environmentally sensitive area. (CEQA Guidelines, § 15301, subd. (e)(2).) Typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact.

<sup>3</sup> This number was estimated using rates from ITE’s Trip Generation Manual. Some industrial and warehousing tenants may generate traffic differently than what is documented in ITE. In these cases, documentation of the project generating less than 110 daily trips will be required for review and approval by the City Traffic Engineer.

shorten the distance existing residents, employees, customers, or visitors would need to travel. Local serving retail generally improves the convenience of shopping close to home and has the effect of reducing vehicle travel.

## VMT Assessment for Non-Screened Development

Projects not screened through the steps above should complete VMT analysis and forecasting through the OCTAM model to determine if they have a significant VMT impact. This analysis should include both 'project generated VMT' for the project TAZ (or TAZs) and 'project effect on VMT' estimates under the following scenarios. Project generated VMT shall include the VMT generated by the site compared back to the CEQA threshold of significance. The project effect on VMT is the link based VMT for a geographic region which is more appropriate to review to evaluate how these developments change travel behavior in the region.

- Baseline conditions - This data is available from OCTAM.
- Baseline plus project - The project land use would be added to the project TAZ or a separate TAZ would be created to contain the project land uses. A full base year model run would be performed and VMT changes would be isolated for the project TAZ and across the full model network. The model output must include reasonableness checks of the production and attraction balancing to ensure the project effect is accurately captured. These reasonableness checks are subject to City Traffic Engineer's review. If this scenario results in a less-than-significant impact, then additional cumulative scenario analysis may not be required (more information about this outcome can be found in the Thresholds Evaluation discussion later in this chapter).
- Cumulative no project - This data is available from OCTAM.
- Cumulative plus project - The project land use would either be added to the project TAZ or a separate TAZ would be created to contain the project land uses. The addition of project land uses should be accompanied by a reallocation of a similar amount of land use from other TAZs; especially if the proposed project is significant in size such that it would change other future developments. Land use projects are often represented in the assumed growth of the cumulative year population and employment. It may be appropriate to remove land use growth that represents a project from the cumulative year model to represent the cumulative no project scenario. If project land uses are simply added to the cumulative no project scenario, then the analysis should reflect this limitation in the methodology and acknowledge that the analysis may overestimate the project's effect on VMT.

The model output should include total VMT, which includes all vehicle trips and trip purposes, and VMT per service population (population plus employment). Total VMT (by speed bin) is needed as an input for air quality, greenhouse gas (GHG), and energy impact analysis while total VMT per service population is recommended for transportation impact analysis<sup>4</sup>.

Both “plus project” scenarios noted above will summarize two types of VMT: (1) project generated VMT per service population and comparing it back to the appropriate benchmark noted in the thresholds of significance, and (2) the project effect on VMT, comparing how the project changes VMT on the network looking at citywide VMT per service population comparing it to the no project condition.

In some cases, it may be appropriate to extract the Project-generated VMT using the production-attraction trip matrix. This may be appropriate when a project is entirely composed of retail or office uses, and there is a need to isolate the home-based-work (HBW) VMT for the purposes of isolating commute VMT. The City should evaluate the appropriate methodology based on the project land use types and context.

Project-generated VMT shall be extracted from the travel demand forecasting model using the origin-destination trip matrix and shall multiply that matrix by the final assignment skims. The project-effect on VMT shall be estimated using the City boundary<sup>5</sup> and extracting the total link-level VMT for both the no project and with project condition.

A detailed description of this process is attached to these guidelines. See Attachment A, “Detailed VMT Forecasting Information”.

## CEQA VMT Impact Thresholds

### VMT Impacts

VMT thresholds provided below are to be applied to determine potential project generated VMT impacts and project’s effect on VMT impacts.

A project would result in a significant project generated VMT impact if either of the following conditions are satisfied:

1. The baseline project generated VMT per service population exceeds the 15% below the County of Orange baseline VMT per service population, or

<sup>4</sup> This assumes that the City will use VMT per service population for its impact threshold. If the City decides to isolate VMT by trip purpose, then the City would need to update this section of the recommended guidelines.

<sup>5</sup> Note – for projects near the City boundary, a different boundary may be more applicable to make sure that VMT effects are not artificially truncated at the City boundary.



2. The cumulative project generated VMT per service population exceeds 15% below the County of Orange baseline VMT per service population

The project's effect on VMT would be considered significant if it resulted in either of the following conditions being satisfied:

1. The baseline link-level boundary Citywide VMT per service population increases under the plus project condition compared to the no project condition, or
2. The cumulative link-level boundary Citywide VMT per service population increases under the plus project condition compared to the no project condition.

Please note that the cumulative no project shall reflect the adopted RTP/SCS; as such, if a project is consistent with the SCAG RTP/SCS, then the cumulative impacts (project effect on VMT) shall be considered less than significant subject to consideration of other substantial evidence.

## VMT Mitigation Measures

To mitigate VMT impacts, the following choices are available to the applicant:

1. Modify the project's-built environment characteristics to reduce VMT generated by the project.
2. Implement transportation Demand Management (TDM) measures to reduce VMT generated by the project.
3. Participate in a VMT fee program and/or VMT mitigation exchange/banking program (if available) to reduce VMT from the project or other land uses to achieve acceptable levels.

As part of the Implementation Study, key TDM measures that are appropriate to the region were identified. Measures appropriate for most of the City of Garden Grove are summarized in Attachment B of the City of Garden Grove SB 743 Implementation Mitigation and TDM Strategy Assessment memorandum. These measures are attached to these guidelines. See Attachment B, "Relevant Strategies for Implementation in Garden Grove".

VMT reductions should be evaluated as part of the VMT impact analysis using state-of-the-practice methodologies recognizing that many of the TDM strategies are dependent on building tenant performance over time. As such, actual VMT reduction cannot be reliably predicted and monitoring may be necessary to gauge performance related to mitigation expectations.

When a Project is found to have a significant impact under CEQA, the City of Garden Grove requires developers and the business community to assist in reducing peak hour and total vehicular trips by implementing Transportation Demand Management Plans (TDMs). The potential of a proposed project to reduce VMT through the use of a TDM plan should be addressed in the traffic study.

If a TDM plan is proposed as a mitigation measure for a project, and the traffic study attributes a reduction in peak and total traffic to the TDM plan, the following information must be provided:

1. A detailed description of the major components of the TDM plan and how it would be implemented and maintained on a continuing basis.
2. Case studies or empirical data that supports the anticipated reduction of traffic attributed to the TDM plan.
3. Additional Volume/Capacity ratio calculations that illustrate the circulation benefits of the TDM plan.
4. Enforcement Measures – how it will be monitored and enforced.
5. How it complies with the South Coast Air Quality Management District Regulations.

# CEQA Assessment - Active Transportation and Public Transit Analysis

Potential impacts to public transit, pedestrian facilities and travel, and bicycle facilities and travel can be evaluated using the following criteria:

- A significant impact occurs if the project conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreases the performance or safety of such facilities.

Therefore, the TIA should evaluate whether a project is consistent with adopted policies, plans, or programs regarding active transportation or public transit facilities, or otherwise increases or decreases the performance or safety of such facilities and make a determination as to whether it has the potential to conflict with existing or proposed facilities supporting these travel modes.

# Transportation Impact Study Format

Each Traffic Impact Study submitted to the City of Garden Grove shall contain each of the following elements unless the topic is not applicable. However, items omitted therefrom as “not applicable” shall first be approved by the City.

1. Executive Summary
2. Introduction
3. Existing Street System
4. Project Description and Location
5. LOS Analysis
6. On-Site Parking and Circulation
7. Vehicle Miles Traveled (VMT) Analysis
8. Active Transportation and Public Transit Analysis
9. Appendix

### **1. Executive Summary**

This portion of the report shall present factual and concise information relative to the major issues. Pertinent information in this regard shall include a brief overview of the project, a short discussion of the project’s traffic generation potential, the expected VMT impacts of the project, and a summary of mitigation measures. It should also summarize any deficiencies in roadway LOS and the corresponding proposed improvements.

### **2. Introduction**

The introduction of the report shall include a detailed description of study procedures, a general overview of the proposed project site and study area boundaries, existing and proposed site uses, and existing and proposed roadways and intersections within the defined study area (defined study area to be determined by the City). Exhibits required for this section shall include a regional map showing the project vicinity and a site layout map.

### **3. Project Description and Location**

This section shall expand on information presented in the introduction and shall provide a detailed development scenario and specific project location. Exhibits in this section shall include, at a minimum, a clear illustration of the project in terms of a site plan, its density, adjacent roadways, on-site parking supply, proposed traffic circulation within the project, gross square footage, number of rooms/units, and other descriptors as appropriate.

### **4. Methodology and Thresholds**

Identify the methodology used to calculate LOS and VMT. Include the criteria used for screening projects from project-level VMT analysis, if applicable. Identify the impact threshold for VMT, and the City’s LOS standards for roadways and intersections.

## **5. LOS Analysis**

This should include the Traffic Generation Forecast, Traffic Distribution and Assignment, Traffic Analysis, and identify required improvements described about in "Level of Service Analysis Procedure".

## **6. On-site Parking, Access, and Circulation Analysis**

See the On-Site Parking Analysis on Page 13 and Access and Circulation Analysis on Page 14.

## **7. Active Transportation and Public Transit Analysis**

Refer to Page 24.

## **8. Vehicle Miles Traveled (VMT) Analysis**

Present the Project VMT per service population for all analysis scenarios and the Project effect on VMT for all analysis scenarios. Data should be presented in tabular format. If the project meets the City's VMT screening criteria, this should be documented. All VMT impacts should be identified in accordance with the VMT Impact Thresholds described above. Proposed VMT mitigation measures should be identified.

## **9. Appendix**

Detailed appendix material shall be supplied as part of the report. If the main report is too large to include an appendix, such material shall be provided under a separate and identifiable cover. Typical material in this regard includes VMT and TDM calculations, traffic counts, ICU calculation sheets, fully completed signal warrants, accident diagrams at high accident locations, sketches of proposed roadway improvements, and other information necessary for the City's review of the report.



# Attachments



# Attachment A: Detailed VMT Forecasting Information

This section provides detailed VMT forecasting instructions for use with the Orange County Traffic Analysis Model (OCTAM) travel demand forecasting model. Please note that Orange County Transportation Authority (OCTA) periodically updates OCTAM and the latest version available should be utilized for VMT assessment in the City of Garden Grove. OCTA is also in the development of a VMT estimation tool for OCTAM. Upon completion of the tool, it should be reviewed for appropriateness for CEQA compliance before use on a City of Garden Grove project.

OCTAM is a trip-based model that generates daily person trip-ends for each TAZ across various trip purposes (Home-based-work, home-based-other, and non-home-based for example) based on population, household, and employment variables. This may create challenges for complying with the VMT guidance because trip generation is not directly tied to specific land use categories. The following methodology addresses this particular challenge among others.

Production and attraction trip-ends are separately calculated for each zone, and generally: production trip-ends are generated by residential land uses and attraction trip-ends are generated by non-residential land uses. Focusing on residential and employment land uses, the first step to forecasting VMT requires translating the land use into model terms, the closest approximations are:

- Residential: home-based production trips
- Employment: home-based work attraction trips

Note that this excludes all non-home-based trips including work-based other and other-based other trips.

The challenges with computing VMT for these two types of trips in a trip-based model are 1) production and attraction trip-ends are not distinguishable after the PA to OD conversion process and 2) trip purposes are not maintained after the mode choice step. For these reasons, it not possible to use the VMT results from the standard vehicle assignment (even using a select zone re-assignment). A separate post-process must be developed to re-estimate VMT for each zone that includes trip-end types and trip purposes. In order to provide the most accurate estimates possible, Garden Grove's recommended approach to estimating VMT is outlined below. Deviating from this approach will require justification and approval from the City Traffic Engineer.

## VMT Forecasting Instructions

This approach will calculate total Origin/Destination (OD) VMT using standard OCTAM model output files. The OD method for calculating total VMT includes all vehicle trips that start in a specific traffic analysis zone, and all vehicle trips that end in a specific traffic analysis zone. The major steps of this approach are listed as follows:

- Re-skim final loaded congested networks and adjust the external skim for each mode and time period to account for truncated trips
- Multiply appropriate distance skim matrices by OD trip matrices to estimate VMT by time period

- Sum matrices by time period and mode to calculate daily automobile VMT
- Calculate automobile VMT for individual TAZs

## Appropriateness Checks

The number of vehicle trips from the total VMT estimation should match as closely as possible with the results from the traditional model process. The estimated results should be checked against the results from a full model run to understand the degree of accuracy. Note that these custom processes may or may not include full lengths of IX/XI trips (trips with origins or destinations outside of the model roadway network) or special generator trips (airport, seaport, stadium, etc.).

When calculating VMT for comparison at the study area, citywide, or regional geography, the same methodology that was used to estimate project specific VMT should be used. The VMT for these comparisons can be easily calculated by aggregating the row or column totals for all zones that are within the desired geography.

# Appendix A – Summary of CAPCOA Strategies

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Comparison of CAPCOA Strategies Versus New Research Since 2010

| CAPCOA Category<br>Land Use/Location |  | CAPCOA #   | CAPCOA Strategy                          | Strength of Substantial Evidence for CEQA Impact Analysis? | New Information   | Change in VMT reduction compared to CAPCOA | Literature or Evidence Cited   |  |
|--------------------------------------|--|--|--|--|---|--|--|--|
|                                      |  | New Information Since CAPCOA Was Published in 2010 |  |  |   |  |  |  |
|                                      |  | 3.11   | LUT-1 Increase Density                   | Adequate   | <p>Increasing residential density is associated with lower VMT per capita. Increased residential density in areas with high job access may have a greater VMT change than increases in regions with lower job access.</p> <p>The range of reductions is based on a range of elasticities from -0.04 to -0.22. The low end of the reduction represents a -0.04 elasticity of demand in response to a 10% increase in residential units or employment density and a -0.22 elasticity in response to 50% increase to residential/employment density.</p> | 0.4% -10.25%                               | <p>Primary sources:<br/>Brame, M. and Handy, S. (2014). Impacts of Residential Density on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/ab375/policies/policies.htm">https://arb.ca.gov/cc/ab375/policies/policies.htm</a></p> <p>Secondary source:<br/>Stevens, M. (2017). Does Compact Development Make People Drive Less? Journal of the American Planning Association, 83(1), 7-18.</p>  |  |
| Land Use/Location                    |  | 3.19   | LUT-3 Improve Design of Development      | Adequate   | <p>No update to CAPCOA literature, advice applying CAPCOA measure only to large developments with significant internal street structure.</p>  | Same                                       | N/A  |  |
| Land Use/Location                    |  | 3.14   | LUT-4 Increase Destination Accessibility | Adequate   | <p>Reduction in VMT due to increased regional accessibility (jobs nearby). Locating new development in areas with good access to destinations reduces VMT by reducing trip lengths and making walking, biking, and transit trips more feasible. Destination accessibility is measured in terms of the number of jobs (or other attractions) reachable within a given travel time, which tends to be highest at central locations and lowest at peripheral ones.</p>   | 0.1%-21%                                   | <p>Primary sources:<br/>Handy, S. et al. (2014). Impacts of Network Connectivity on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/ab375/policies/policies.htm">https://arb.ca.gov/cc/ab375/policies/policies.htm</a></p> <p>Handy, S. et al. (2013). Impacts of Regional Accessibility on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/ab375/policies/policies.htm">https://arb.ca.gov/cc/ab375/policies/policies.htm</a></p> <p>Secondary source:<br/>Holtclaw, et al. (2002). Location Efficiency: Neighborhood and Socioeconomic Characteristics Determine Auto Ownership and Use - Studies in Chicago, Los Angeles, and Chicago. Transportation Planning and Technology, Vol. 25, pp. 1-27.</p> |  |

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Comparison of CAPCOA Strategies Versus New Research Since 2010

| CAPCOA Category<br>Land Use/Location | CAPCOA # | CAPCOA Strategy   | CAPCOA Reduction   | Strength of Substantial<br>Evidence for CEQA Impact<br>Analysis?                               | New information  | Change in VMT<br>reduction compared<br>to CAPCOA | Literature or Evidence Cited  |
|--------------------------------------|----------|---|--|--|--|--|---|
|                                      | 313      | LUT-3 Increase Diversity of Urban and Suburban Developments | 9%-10% VMT reduction due to mixing land uses within a single development     | Adequate   | <p>1) VMT reduction due to mix of land uses within a single development. Mixing land uses within a single development can decrease VMT (and resulting GHG emissions), since building users do not need to drive to meet all of their needs. 2) Reduction in VMT due to regional change in entropy index of diversity. Providing a mix of land uses within a single neighborhood can decrease VMT (and resulting GHG emissions), since trips between land use types are shorter and may be accommodated by more-use modes of transport, for example when residential areas are in the same neighborhood as retail and office buildings. 3. A resident does not need to travel outside of the neighborhood to meet his/her trip needs. At the regional level, reductions in VMT are measured in response to changes in the entropy index of land use diversity.</p>  | <p>1) 0%-12%<br/>2) 0.3%-4%</p>                  | <p>Literature or Evidence Cited</p> <p>1) Ewing, R. and Cervero, R. (2010). Travel and the Built Environment - A Meta-Analysis. Journal of the American Planning Association, 76(3):265-294. Cited in California Air Pollution Control Officers Association. (2010). Quantifying Greenhouse Gas Mitigation Measures. Retrieved from: <a href="http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-final.pdf">http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-final.pdf</a></p> <p>Frank, L., Greenwald, M., Kavag, S. and Doolin, A. (2011). An Assessment of Urban Form and Pedestrian and Transit Improvements as an Integrated GHG Reduction Strategy. WSDOT Research Report WA-RD 765.1. Washington State Department of Transportation. Retrieved from: <a href="http://www.wsdot.wa.gov/research/reports/walkreport/765.1.pdf">http://www.wsdot.wa.gov/research/reports/walkreport/765.1.pdf</a></p> <p>Nazri, A. and Zhang, L. (2012). Impact of Metropolitan-Level Built Environment on Travel Behavior. Transportation Research Record: Journal of the Transportation Research Board, 2321(1), 71-79.</p> <p>Sadek, A. et al. (2010). Reducing VMT through Smart Land-Use Design. New York State Energy Research and Development Authority. Retrieved from: <a href="https://www.dor.ny.gov/divisions/engineering/technical-services/itams-1-and-4-repository/c-08-23%20Final%20Report_December%202011%2029282929.pdf">https://www.dor.ny.gov/divisions/engineering/technical-services/itams-1-and-4-repository/c-08-23%20Final%20Report_December%202011%2029282929.pdf</a></p> <p>Sparks, S. et al. (2014). Impacts of Land-Use Mix on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ab.ca.gov/cars/15375/policies/nlm">https://ab.ca.gov/cars/15375/policies/nlm</a></p> <p>Zhang, Wenglin et al. "Short- and Long-Term Effects of Land Use on Reducing Personal Vehicle Miles of Travel"</p> <p>1) Lund, H. et al. (2004). Travel Characteristics of Transit-Oriented Development in California. Oakland, CA: Bay Area Rapid Transit District, Metropolitan Transportation Commission, and Caltrans.</p> <p>Tal, G. et al. (2013). Policy Brief on the Impacts of Transit Access (Distance to Transit) Based on a Review of the Empirical Literature. California Air Resources Board. Retrieved from: <a href="https://www.arb.ca.gov/cars/15375/policies/transitaccess/transit_access_brief12013.pdf">https://www.arb.ca.gov/cars/15375/policies/transitaccess/transit_access_brief12013.pdf</a></p> <p>2) Zaimir, K. R. et al. (2014). Effects of Transit-Oriented Development on Trip Generation, Distribution, and Modal Share in Washington, D.C., and Baltimore, Maryland. Transportation Research Record. Journal of the Transportation Research Board, 2418, 45-53. DOI: 10.3141/2418-05</p> |
|                                      | 315      | LUT-5 Increase Transit Accessibility                        | 0.5%-24.6% reduce in VMT due to locating a project near high-quality transit | Adequate   | <p>1) VMT reduction when transit station is provided within 1/2 mile of development (compared to VMT for sites located outside 1/2 mile radius of transit). Locating high density development within 1/2 mile of transit will facilitate the use of transit by people traveling to or from the Project site. The use of transit results in a mode shift and therefore reduced VMT.</p> <p>2) Reduction in vehicle trips due to implementing TOD. A project with a residential/commercial center developed around a rail or bus station, is called a transit-oriented development (TOD). The project description should include, at a minimum, the following design features:</p> <ul style="list-style-type: none"> <li>- A transit station stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly 1/4 mile from stop to edge of development), and/or</li> <li>- A rail station located within a 20 minute walk (or roughly 1/4 mile from station to edge of development)</li> <li>- Fast, frequent, and reliable transit service connecting to a high percentage of regional destinations</li> <li>- Neighborhood designed for walking and cycling</li> </ul> | <p>1) 0%-5.6%<br/>2) 0%-7.3%</p>                 | <p>"Draft Memorandum: Infill and Complete Streets Study, Task 2.1: Local Trip Generation Study" - Measuring the Effect: Developing new metrics for vehicle travel in LA. City of Los Angeles, April 19, 2017.</p>   |
|                                      | 316      | LUT-6 Integrate Affordable and Below Market Rate Housing    | 0.04%-1.25% reduction in VMT for making up to 30% of housing units BMR       | Weak - Should only be used where supported by local data on affordable housing top generation. | <p>Observed trip generation indicators: substantial local and regional variation in trip making behavior at affordable housing sites. Recommended use of ITE rates or local data for senior housing.</p>   | N/A  |   |

Comparison of CAPCOA Strategies Versus New Research Since 2010

|                                |          | New Information Since CAPCOA Was Published in 2010                          |  |  |   |
|--------------------------------|----------|---|--|--|---|
| CAPCOA Category                | CAPCOA # | CAPCOA Strategy   | Strength of Substantial Evidence for CEQA Impact Analysis? | Change in VMT reduction compared to CAPCOA   | Literature or Evidence Cited  |
| Neighborhood Site Enhancements | 3.2.1    | <p>CAPCOA Strategy</p> <p>SDT-1 Provide Pedestrian Network Improvements</p> | Adequate   | <p>New Information</p> <p>VMT reduction due to provision of complete pedestrian networks. Only applies if located in an area that may be prone to having a less robust sidewalk network.</p>   | <p>Handy, S. et al. (2014). Impacts of Pedestrian Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/48375/policies/policies.htm">https://arb.ca.gov/cc/48375/policies/policies.htm</a></p>  |
| Neighborhood Site Enhancements | 3.2.2    | <p>SDT-2 Provide Traffic Calming Measures</p>                               | Adequate   | <p>Reduction in VMT due to expansion of bike networks in urban areas. Strategy only applies to bicycle facilities that provide a dedicated lane for bicyclists or a completely separated light-o-way for bicycles and pedestrians.</p> <p>Project-level definition: Enhance bicycle network citywide (or at similar scale), such that a building entrance or bicycle parking is within 200 yards walking or bicycling distance from a bicycle network that connects to at least one of the following: at least 10 diverse uses; a school or employment center; if the project total floor area is 50% or more residential, or a bus rapid transit stop, light or heavy rail station, commuter rail station, or ferry terminal. All destinations must be 3-mile bicycling distance from project site. Include educational campaigns to encourage bicycling.</p> | <p>Zelinski, S. et al. (2016). Exploring the link between the neighborhood typologies, bicycle infrastructure and commuting cycling over time and the potential impact on commuter GHG emissions. Transportation Research Part D: Transport and Environment. 47, 89-103.</p>  |
| Neighborhood Site Enhancements | 3.2.3    | <p>SDT-3 Implement an NEV Network</p>                                       | Weak - not recommended without supplemental data.          | <p>Limited evidence and highly limited applicability. Use with supplemental data only.</p>   | <p>City of Lincoln, MHM Engineers &amp; Surveyors, Neighborhood Electric Vehicle Transportation Program Final Report, Issued 04/05/05, and City of Lincoln, A Report to the California Legislature as required by Assembly Bill 2353, Neighborhood Electric Vehicle Transportation Plan Evaluation, January 1, 2008. Cited in: California Air Pollution Control Officers Association. (2010). Quantifying Greenhouse Gas Mitigation Measures. Retrieved from: <a href="http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf">http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf</a></p> |
| Neighborhood Site Enhancements | 3.4.9    | <p>TRT-9 Implement Car-Sharing Program</p>                                  | Adequate   | <p>Vehicle trip reduction due to car-sharing programs; reduction assumes 1%-5% penetration rate. Implementing car-sharing programs allows people to have on-demand access to a shared fleet of vehicles on an as-needed basis, as a supplement to trips made by non-SOV modes. Transit station-based programs focus on providing the "last-mile" solution and link transit with commuters final destinations. Residential-based programs work to substitute entire household based trips. Employer-based programs provide a means for business/day trips for alternative mode commuters and provide a guaranteed ride home option. The reduction shown here assumes a 1%-5% penetration rate.</p>  | <p>Leveley, K. et al. (2013). Impacts of Carsharing on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/48375/policies/policies.htm">https://arb.ca.gov/cc/48375/policies/policies.htm</a></p> <p>Need to verify with more recent UCD research.</p>  |

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Comparison of CAPCOA Strategies Versus New Research Since 2010

FEHR & PEERS

|                 |          | New Information Since CAPCOA Was Published in 2010 |  |  |  |
|-----------------|----------|--|--|--|--|
| CAPCOA Category | CAPCOA # | CAPCOA Strategy                                    | Strength of Substantial Evidence for CEQA Impact Analysis?   | New Information  | Change in VMT reduction compared to CAPCOA |
| Parking Pricing | 3.3.1    | PDT-1 Limit Parking Supply                         | Weak - not recommended. Fehr & Peers has developed new estimates for residential land use only that may be used.   | CAPCOA reduction range derived from estimate of reduced vehicle ownership, not supported by observed trip or VMT reductions. Evidence is available for mode shift due to presence/absence of parking in high-transit urban areas, additional investigation ongoing.  | Higher                                     |
| Parking Pricing | 3.3.2    | PDT-2 Unbundle Parking Costs from Property Cost    | Adequate - conditional on the agency not requiring parking minimums and pricing/managing on-street parking (i.e., residential parking permit districts, etc.). | Reduction in VMT, primarily for residential uses, based on range of elasticities for vehicle ownership in response to increased residential parking fees. Does not account for self-selection. Only applies if the city does not require parking minimums and if on-street parking is priced and managed (i.e., residential parking permit districts).   | 2%-12%                                     |
| Parking Pricing | 3.3.3    | PDT-3 Implement Market Price Public Parking        | Adequate   | Implement a pricing strategy for parking by pricing all central business district/employment center/retail center street parking. It will be priced to encourage "park once" behavior. The benefit of this measure above that of paid parking at the project only is that it deters parking spillover from project supplied parking to other public parking nearby, which undermines the vehicle miles traveled (VMT) benefits of project pricing. It may also generate sufficient area-wide mode shifts to justify increased transit service to the area. | 2.0%-14.5%                                 |
| Transit System  | 3.5.3    | TST-3 Expand Transit Network                       | Adequate   | VMT reduction applies to VMT from visitor/customer trips only. Reductions higher than top-end of range from CAPCOA report apply only in conditions with highly constrained on-street parking supply and lack of comparably-priced off-street.  | 0.1%-40.5%                                 |
| Transit System  | 3.5.4    | TST-4 Increase Transit Service Frequency/Speed     | Adequate   | Reduction in vehicle trips due to increased transit service hours or coverage. Low end of reduction is typical of project-level implementation (payment of impact fees and/or localized improvements).   | 0.3%-6.3%                                  |
| Transit System  | 3.5.1    | TST-1 Provide a Bus Rapid Transit System           | Adequate   | No new information identified.   | Same                                       |

Literature or Evidence Cited  
 Fehr & Peers estimated a linear regression formula based on observed data from multiple locations. Resulting equation produces maximum VMT reductions for residential land use only of 36% in suburban locations and 50% in urban locations based on parking supply percentage reductions.

Victoria Transport Policy Institute (2009). Parking Requirement Impacts on Housing Affordability. Retrieved March 2010 from: <http://www.vtpi.org/park-hou.pdf>.

Clinch, J.P. and Kelly, J.A. (2003). Temporal Variance Of Revealed Preference On-Street Parking Price Elasticity. Dublin, Department of Environmental Studies, University College Dublin. Retrieved from: <http://www.ucd.ie/gepp/research/workingpapers/2004/04-02.pdf>. Cited in Victoria Transport Policy Institute (2017). Transportation Elasticities: How Prices and Other Factors Affect Travel Behavior. Retrieved from: <http://www.vtpi.org/tdm/tc01m1.htm>

Hemmer, D. and King, J. (2001). Parking Demand and Responsiveness to Supply, Price and Location in Sydney Central Business District. Transportation Research A, 35(3), 177-196.

Millard-Ball, A. et al. (2013). Is the curb 80% full or 20% empty? Assessing the impacts of San Francisco's parking pricing experiment. Transportation Research Part A, 61(2014), 76-92.

Shoup, D. (2011). The High Cost of Free Parking. APA Business Press, p. 200. Cited in Peerc, G. and Shoup, D. (2013). Getting the Prices Right. Journal of the American Planning Association, 79(1), 67-81.

Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <https://arb.ca.gov/czlb375/policies/policies.htm>

Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <https://arb.ca.gov/czlb375/policies/policies.htm>

N/A



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 Comparison of CAPCOA Strategies Versus New Research Since 2010

| CAPCOA Category         |        | CAPCOA #   |   | CAPCOA Strategy   |   | CAPCOA Reduction   |   | Strength of Substantial Evidence for CEQA Impact Analysis? |  | New Information |  | Change in VMT reduction compared to CAPCOA |  | New Information Since CAPCOA Was Published in 2010 |  | Literature or Evidence Cited |  |
|-------------------------|--------|--|---|---|---|--|---|--|--|-----------------|--|--|--|--|--|------------------------------|--|
| Commuter Trip Reduction | 3.4.1  | TRT-1 Implement CTR Program - Voluntary                          | 10%-62% commuted VMT reduction due to employer-based mode shift program   | Adaptative - Effectiveness is building/tenant specific. Do not use with "TRT-2 Implement CTR Program - Required Implementation/Monitoring" or with CAPCOA strategies TRT-3.4.3 through TRT-3.4.8. | Reduction in vehicle trips in response to employer-led TDM programs. The CTR program should include all of the following to apply the effectiveness reported by the literature:<br><ul style="list-style-type: none"> <li>- Carpooling encouragement</li> <li>- Ride-sharing assistance</li> <li>- Flexible work schedule for carpools</li> <li>- HRM time transportation coordinator</li> <li>- Staggered assistance</li> <li>- Bicycle end-of-trip facilities (parking, showers and lockers)</li> <li>- Underevidence available. Anecdotal evidence shows high investment produces high VMT/vehicle trip reductions at employment sites with monitoring requirements and specific targets.</li> </ul> | 10%-6.0%   | Roanick, M. et al. (2014). Impacts of Employer-Based Trip Reduction Programs and Vampark on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ahc.ca.gov/cc/ab375/policies/policies.htm">https://ahc.ca.gov/cc/ab375/policies/policies.htm</a>  |  |  |                 |  |  |  |  |  |                              |  |
| Commuter Trip Reduction | 3.4.2  | TRT-2 Implement CTR Program - Required Implementation/Monitoring | 42%-210% commuted VMT reduction due to employer-based mode shift program with required monitoring and reporting | Adaptative - Effectiveness is building/tenant specific. Do not use with "TRT-1 Implement CTR Program - Voluntary" or with CAPCOA strategies TRT-3.4.3 through TRT-3.4.8.                          | 1) Reduction in vehicle trips in response to reduced cost of transit use, assuming that 10-21% of new bus trips replace vehicle trips<br>2) Reduction in commute trip VMT due to employee benefits that include transit<br>3) Reduction in all vehicle trips due to reduced transit fares system-wide, assuming 25% of new transit trips would have been vehicle trips.   | Same   | Nelson/Mygaard (2006). South San Francisco Mode Share and Parking Report for Genentech, Inc. IP-0 Cited in California Air Pollution Control Officers Association. (2010). Quantifying Greenhouse Gas Mitigation Measures. Retrieved from: <a href="http://www.capcoa.org/wp-content/uploads/2010/10/CAPCOA-Quantification-Report-9-14-Final.pdf">http://www.capcoa.org/wp-content/uploads/2010/10/CAPCOA-Quantification-Report-9-14-Final.pdf</a>   |  |  |                 |  |  |  |  |  |                              |  |
| Commuter Trip Reduction | 3.4.4  | TRT-4 Implement Subsidized or Discounted Transit Program         | 0.3%-20% commuted VMT reduction due to transit subsidy of up to \$6/day   | Adaptative - Effectiveness is building/tenant specific. Do not use with "TRT-1 Implement CTR Program - Voluntary" or "TRT-2 Implement CTR Program - Required Implementation/Monitoring."          | Shoup, D. (1997). Evaluating the Effects of Cashing Out Employee-Paid Parking: Eight Case Studies. Transport Policy. California Air Resources Board. Retrieved from: <a href="https://www.arb.ca.gov/research/pst/pst09-3108a.pdf">https://www.arb.ca.gov/research/pst/pst09-3108a.pdf</a> . This citation was listed as an alternative literature in CAPCOA.   | 1) Victoria Transport Policy Institute. (2017). Understanding Transport Demands and Elasticities. Online TDM Encyclopedia. Retrieved from: <a href="https://www.vtpi.org/dem/dem11.htm">https://www.vtpi.org/dem/dem11.htm</a><br>2) Carolina, P. et al. (2016). Do Employee Commuter Benefits Increase Transit Ridership? Evidence from the NYC-NJ Region. Washington, DC: Transportation Research Board, 96th Annual Meeting.<br>3) Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/ab375/policies/policies.htm">https://arb.ca.gov/cc/ab375/policies/policies.htm</a> |   |  |  |                 |  |  |  |  |  |                              |  |
| Commuter Trip Reduction | 3.4.15 | TRT-15 Employee Parking Cash-Out                                 | 0.6%-77% commuted VMT reduction due to implementing employee parking cash-out                                   | Weak - Effectiveness is building/tenant specific. Research data is over 10 years old (1997).  | Shoup, D. (1997). Evaluating the Effects of Cashing Out Employee-Paid Parking: Eight Case Studies. Transport Policy. California Air Resources Board. Retrieved from: <a href="https://www.arb.ca.gov/research/pst/pst09-3108a.pdf">https://www.arb.ca.gov/research/pst/pst09-3108a.pdf</a> . This citation was listed as an alternative literature in CAPCOA.   | 3%-77%   | Shoup, D. (1997). Evaluating the Effects of Cashing Out Employee-Paid Parking: Eight Case Studies. Transport Policy. California Air Resources Board. Retrieved from: <a href="https://www.arb.ca.gov/research/pst/pst09-3108a.pdf">https://www.arb.ca.gov/research/pst/pst09-3108a.pdf</a> . This citation was listed as an alternative literature in CAPCOA.   |  |  |                 |  |  |  |  |  |                              |  |
| Commuter Trip Reduction | 3.4.14 | TRT-14 Price Workplace Parking                                   | 0.1%-19.7% commuted VMT reduction due to mode shift   | Adaptative - Effectiveness is building/tenant specific.   | Reduction in commute vehicle trips due to priced workplace parking, effectiveness depends on availability of alternative modes. Workplace parking pricing may include: explicitly charging for parking, implementing above market rate pricing, valuating parking only for invited guests, not providing employee parking and transportation allowances, and educating employees about available alternatives.  | 0.5%-14%   | Primary sources:<br>Conicy, S. and Noyak, N. (2012). A Meta-Analysis of Parking Price Elasticity. Washington, DC: Transportation Research Board, 2012 Annual Meeting.<br>Dale, S. et al. (2016). Evaluating the Impact of a Workplace Parking Levy on Local Traffic Congestion: The Case of Nottingham UK. Washington, DC: Transportation Research Board, 96th Annual Meeting.<br>Secondary sources:<br>Victoria Transport Policy Institute. (2017). Understanding Transport Demands and Elasticities. Online TDM Encyclopedia. Retrieved from: <a href="http://www.vtpi.org/dem/dem11.htm">http://www.vtpi.org/dem/dem11.htm</a><br>Spears, S. et al. (2014). Impacts of Parking Pricing on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/ab375/policies/policies.htm">https://arb.ca.gov/cc/ab375/policies/policies.htm</a><br>Handy, S. et al. (2013). Policy Brief on the Impacts of Telecommuting Based on a Review of the Empirical Literature. California Air Resources Board. Retrieved from: <a href="https://www.arb.ca.gov/cc/ab375/policies/telecommuting/telecommuting_brief020313.pdf">https://www.arb.ca.gov/cc/ab375/policies/telecommuting/telecommuting_brief020313.pdf</a> |  |  |                 |  |  |  |  |  |                              |  |
| Commuter Trip Reduction | 3.4.6  | TRT-6 Encourage Telecommuting and Alternative Work Schedules     | 0.07%-5.5% commuted VMT reduction due to reduced commute trips  | Adaptative - Effectiveness is building/tenant specific. Do not use with "TRT-1 Implement CTR Program - Voluntary" or "TRT-2 Implement CTR Program - Required Implementation/Monitoring."          | VMT reduction due to adoption of telecommuting. Alternative work schedules could take the form of staggered starting times, flexible schedules, or compressed work weeks.   | 0.2%-4.5%  | Spears, S. et al. (2014). Impacts of Parking Pricing on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/ab375/policies/policies.htm">https://arb.ca.gov/cc/ab375/policies/policies.htm</a><br>Handy, S. et al. (2013). Policy Brief on the Impacts of Telecommuting Based on a Review of the Empirical Literature. California Air Resources Board. Retrieved from: <a href="https://www.arb.ca.gov/cc/ab375/policies/telecommuting/telecommuting_brief020313.pdf">https://www.arb.ca.gov/cc/ab375/policies/telecommuting/telecommuting_brief020313.pdf</a>  |  |  |                 |  |  |  |  |  |                              |  |

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Comparison of CAPCOA Strategies Versus New Research Since 2010

|                         |          | New Information Since CAPCOA Was Published in 2010  |  |   |   |   |
|-------------------------|----------|---|--|---|---|---|
| CAPCOA Category         | CAPCOA # | CAPCOA Strategy   | Strength of Substantial Evidence for CEQA Impact Analysis?   | New Information   | Change in VMT reduction compared to CAPCOA                  | Literature or Evidence Cited  |
| Commuter Trip Reduction | 3.4.7    | <p>CAPCOA Strategy</p> <p>1) TRT-7 Implement CTR Marketing Interventions</p> <p>2) Launch Targeted Behavioral Interventions</p> | <p>Adequate - Effectiveness is building/tenant specific. Do not use with "TRT-1 Implement CTR Program - Voluntary" or "TRT-2 Implement CTR Program - Required Implementation/Monitoring"</p> | <p>1) Vehicle trips reduction due to CTR marketing; 2) Reduction in VMT from institutional trips due to targeted behavioral intervention programs</p>   | <p>1) 0.5% to 26%</p> <p>2) 1% to 6%</p>                    | <p>1) Pratt Dick. Personal communication regarding the Draft of TRT-65 Towards Responses to Transportation System Changes - Chapter 19 Employee and Institutional TDM Strategies. Transit Cooperative Research Program. Citrus, CA: California Air Pollution Control Officers Association. (2010). <a href="http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-2-14-10.pdf">http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-2-14-10.pdf</a></p> <p>2) Bill J. and Mohr, C. (2010). Long-Term Evolution of Individualized Marketing Programs for Travel Demand Management. Portland, OR: Transportation Research and Education Center (TREC). Retrieved from: <a href="http://trdscholar.library.pdx.edu/usp_jac">http://trdscholar.library.pdx.edu/usp_jac</a></p> <p>3) Brown, A. and Ralph, K. (2017). "The Right Time and Place to Change Travel Behavior: An Experimental Study." Washington, DC: Transportation Research Board, 2017 Annual Meeting. Retrieved from: <a href="https://trid.tdb.org/view.aspx?id=1437253">https://trid.tdb.org/view.aspx?id=1437253</a></p> <p>4) Concas, Simio, Winers, Philip, Wambakala, Francis. (2005). Fare Pricing Elasticity, Subsidies, and Demand for Vanpool Services. Transportation Research Record, Journal of the Transportation Research Board, 1924, pp 215-223.</p> <p>5) Victoria Transport Policy Institute. (2015). Ridesharing, Carpooling and Vanpooling. Online TDM Encyclopedia. Retrieved from: <a href="http://vtpi.org/tdm/dm34.htm">http://vtpi.org/tdm/dm34.htm</a></p> <p>6) ICF. (2014). GHG Impacts for Commuter Shuttle Pilot Program. Victoria Transport Policy Institute. (2015). Ridesharing: Carpooling and Vanpooling. Online TDM Encyclopedia. Retrieved from: <a href="http://vtpi.org/tdm/dm34.htm">http://vtpi.org/tdm/dm34.htm</a></p> |
| Commuter Trip Reduction | 3.4.11   | <p>TRT-11 Provide Employer-Sponsored Vanpool/Shuttle</p>  | <p>Adequate - Effectiveness is building/tenant specific.</p>   | <p>1) Reduction in commute vehicle trips due to implementing employer-sponsored vanpool and shuttle programs; 2) Reduction in commute vehicle trips due to vanpool incentive programs; 3) Reduction in commute vehicle trips due to employer shuttle programs</p>   | <p>1) 0.5%-5.0%</p> <p>2) 0.5%-7.4%</p> <p>3) 1.4%-6.8%</p> | <p>1) Victoria Transport Policy Institute. (2015). Ridesharing, Carpooling and Vanpooling. Online TDM Encyclopedia. Retrieved from: <a href="http://vtpi.org/tdm/dm34.htm">http://vtpi.org/tdm/dm34.htm</a></p> <p>2) ICF. (2014). GHG Impacts for Commuter Shuttle Pilot Program. Victoria Transport Policy Institute. (2015). Ridesharing: Carpooling and Vanpooling. Online TDM Encyclopedia. Retrieved from: <a href="http://vtpi.org/tdm/dm34.htm">http://vtpi.org/tdm/dm34.htm</a></p>  |
| Commuter Trip Reduction | 3.4.3    | <p>TRT-3 Provide Ride-Sharing Programs</p>  | <p>Adequate - Effectiveness is building/tenant specific. Do not use with "TRT-1 Implement CTR Program - Voluntary" or "TRT-2 Implement CTR Program - Required Implementation/Monitoring"</p> | <p>Commuter vehicle trips reduction due to employer ride-sharing programs. Promote ride-sharing programs through a multi-faceted approach such as:</p> <ul style="list-style-type: none"> <li>- Designating a certain percentage of parking spaces for ride-sharing vehicles</li> <li>- Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles</li> <li>- Providing an app or website for coordinating rides</li> </ul> | <p>2.5% - 8.3%</p>  | <p>1) Victoria Transport Policy Institute. (2015). Ridesharing, Carpooling and Vanpooling. Online TDM Encyclopedia. Retrieved from: <a href="http://vtpi.org/tdm/dm34.htm">http://vtpi.org/tdm/dm34.htm</a></p>   |
| Commuter Trip Reduction | 3.4.10   | <p>TRT-10 Implement a School Pool Program</p>   | <p>Adequate - School VMT only.</p>   | <p>Limited new evidence available, not tentative</p>  | <p>Same</p>   | <p>1) Transportation Demand Management Institute of the Association for Commuter Transportation. TDM Case Studies and Commuter Testimonials. Prepared for the US EPA, 1997. (p. 10, 36-38)</p> <p>2) WhyToGo 2015 Annual Report. Accessed on March 12, 2017 from <a href="http://www.whytogo.org/sites/default/files/attachment/whytogo-annual-report-2015.pdf">http://www.whytogo.org/sites/default/files/attachment/whytogo-annual-report-2015.pdf</a></p>  |
| Commuter Trip Reduction | 3.4.13   | <p>TRT-13 Implement School Bus Program</p>  | <p>Adequate - School VMT only.</p>   | <p>VMT reduction for school trips based on data beyond a single school district.</p> <p>School district boundaries are also a factor to consider. VMT reduction does not appear to be a factor that was considered in a select review of CA boundaries.</p> <p>VMT reductions apply to school trip VMT only.</p>  | <p>5% - 30%</p>   | <p>1) Wilson, E. et al. (2007). The implications of school choice on travel behavior and environmental emissions. Transportation Research Part D: Transport and Environment 12(2007), 506-518.</p>  |

# Appendix B – Relevant Strategies for Implementation in Garden Grove

Relevant Strategies for Implementation in Garden Grove Due to Land Use Context

| CAPCOA Category<br>Land Use/ Location | CAPCOA # | CAPCOA Strategy   | Appropriate Context?  | CAPCOA Reduction  | Strength of Substantial Evidence for CEQA Impact Analysis? | New Information Since CAPCOA Was Published in 2010  |  |
|---------------------------------------|----------|---|-----------------------|---|--|---|--|
|                                       |          |   |                       |   |  | Change in VMT reduction compared to CAPCOA  | Literature or Evidence Cited   |
|                                       | 3.1.3    | LUT-3 Increase Diversity of Urban and Suburban Developments | Downtown and suburban | 9%-30% VMT reduction due to mixing land uses within a single development  | Adequate   | <p><b>New information</b></p> <p>1  VMT reduction due to mix of land uses within a single development. 2  Reduction in VMT due to regional change in entropy index of diversity.</p>  | <p>1  Ewing, R. and Cervero, R. (2000) Travel and the Built Environment - A Meta-Analysis. Journal of the American Planning Association, 66(3), 265-294. Cited in California Air Pollution Control Officers Association.</p> <p>(2010) Quantifying Greenhouse Gas Mitigation Measures. Retrieved from: <a href="http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-8-14-Final.pdf">http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-8-14-Final.pdf</a></p> <p>Frank, L., Greenwald, M., Kavagc, S. and Devlin, A. (2011). An Assessment of Urban Form and Pedestrian and Transit Improvements as an Integrated GHG Reduction Strategy. WSDOT Research Report WA-RD 765.1. Washington State Department of Transportation. Retrieved from: <a href="http://www.wsdot.wa.gov/research/reports/fullreports/765.1.pdf">http://www.wsdot.wa.gov/research/reports/fullreports/765.1.pdf</a></p> <p>Nasri, A. and Zhang, L. (2012). Impact of Metropolitan-Level Built Environment on Travel Behavior. Transportation Research Record: Journal of the Transportation Research Board, 2323(1), 75-79.</p> <p>Sadek, A. et al. (2011). Reducing VMT through Smart Land-Use Design. New York State Energy Research and Development Authority. Retrieved from: <a href="https://www.dot.ny.gov/divisions/engineering/technical-services/trans-r-and-d-repository/C-08-29%20Final%20Report_December%202011%20%282%29.pdf">https://www.dot.ny.gov/divisions/engineering/technical-services/trans-r-and-d-repository/C-08-29%20Final%20Report_December%202011%20%282%29.pdf</a></p> <p>Spears, S. et al. (2014). Impacts of Land-Use Mix on Passenger Vehicle Use and Greenhouse Gas Emissions- Policy Brief and Technical Background</p> <p>1  Lund, H. et al. (2004). Travel Characteristics of Transit-Oriented Development in California. Oakland, CA: Bay Area Rapid Transit District, Metropolitan Transportation Commission, and Caltrans.</p> <p>Tal, G. et al. (2013). Policy Brief on the Impacts of Transit Access (Distance to Transit) Based on a Review of the Empirical Literature. California Air Resources Board. Retrieved from: <a href="https://www.arb.ca.gov/cc/sb375/policies/transitaccess/transit_access_brief_201313.pdf">https://www.arb.ca.gov/cc/sb375/policies/transitaccess/transit_access_brief_201313.pdf</a></p> <p>2  Zamir, K. R. et al. (2014). Effects of Transit-Oriented Development on Trip Generation, Distribution, and Mode Share in Washington, D.C., and Baltimore, Maryland. Transportation Research Record: Journal of the Transportation Research Board, 2413, 45-53. DOI: 10.3141/2413-05</p> |
| Neighborhood Site Enhancements        | 3.2.1    | SDT-1 Provide Pedestrian Network Improvements               | Downtown and suburban | 0%-2% reduction in VMT for creating a connected pedestrian network within the development and connecting to nearby destinations | Adequate   | <p>1  VMT reduction when transit station is provided within 1/2 mile of development (compared to VMT for sites located outside 1/2 mile radius of transit). Locating high density development within 1/2 mile of transit will facilitate the use of traveling to or from the Project site. The use of transit results in a mode shift and therefore reduces VMT. 2  VMT reduction due to provision of complete pedestrian networks.</p> | <p>Handy, S. et al. (2014). Impacts of Pedestrian Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://arb.ca.gov/cc/sb375/policies/policies.htm">https://arb.ca.gov/cc/sb375/policies/policies.htm</a></p>   |
| Neighborhood Site Enhancements        | 3.2.2    | SDT-2 Provide Traffic Calming Measures                      | Downtown and suburban | 0.25%-1% VMT reduction due to traffic calming on streets within and around the development                                      | Adequate   | <p>Reduction in VMT due to building out a low-stress bike network, reduction in VMT due to expansion of bike networks in urban areas.</p>   | <p>Zahabi, S. et al. (2016). Exploring the link between the neighborhood typologies, bicycle infrastructure and commuting cycling over time and the potential impact on commuter GHG emissions. Transportation Research Part D: Transport and Environment, 47, 89-103</p>  |

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Relevant Strategies for Implementation in Garden Grove Due to Land Use Context

| CAPCOA Category                | CAPCOA # | CAPCOA Strategy  | Appropriate Context?  | CAPCOA Reduction  | Strength of Substantial Evidence for CEQA Impact Analysis?   | New Information  | Change in VMT reduction compared to CAPCOA | New Information Since CAPCOA Was Published in 2010   |
|--------------------------------|----------|--|-----------------------|---|--|--|--|--|
| Neighborhood Site Enhancements | 3.4.3    | TRT-9 Implement Car-Sharing Program                      | Downtown and suburban | 0.4% - 0.7% VMT reduction due to lower vehicle ownership rates and general shift to non-driving modes | Adequate   | Vehicle trip reduction due to car-sharing programs. reduction assumes 1%-5% penetration rate.<br><br>Car sharing effect on VMT is still evolving due to TNC effects. UCD research showed less effect on car ownership due to car sharing.<br><br>Implement a pricing strategy for parking by pricing all central business district/employment center/retail center on-street parking. It will be priced to encourage park once* behavior.<br><br>Reduction applies to VMT from visitor/customer trips only | 0.3%-1.5%                                  | Literature or Evidence Cited<br><br>Lovejoy, K. et al. (2013). Impacts of Carsharing on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ab.ca.gov/cars375/policies/policies.htm">https://ab.ca.gov/cars375/policies/policies.htm</a><br><br>Need to verify with more recent UCD research.  |
| Parking Pricing                | 3.3.3    | PDT-3 Implement Market Price Public Parking              | Downtown only         | 2.8%-5.5% VMT reduction due to "park once" behavior and disincentive to driving                       | Adequate   | Reduction in vehicle trips due to increased transit service hours or coverage.<br><br>Reduction in vehicle trips due to increased transit frequency/decreased headway.   | 2.8%-14.5%                                 | Chinch, J.P. and Kelly, J.A. (2003). Temporal Variance Of Revealed Preference On-Street Parking Price Elasticity. Dublin: Department of Environmental Studies, University College Dublin. Retrieved from: <a href="http://www.ucd.ie/geapp/research/workingpapers/2004/04-02.pdf">http://www.ucd.ie/geapp/research/workingpapers/2004/04-02.pdf</a> . Cited in Victoria Transport Policy Institute (2017). Transportation Elasticities: How Prices and Other Factors Affect Travel Behavior. Retrieved from: <a href="http://www.vtpi.org/tdm/dtm11.htm">http://www.vtpi.org/tdm/dtm11.htm</a><br><br>Hendler, D. and King, J. (2000). Parking Demand and Responsiveness to Supply, Price and Location in Sydney Central Business District. Transportation Research A, 33(3), 177-196.<br><br>McLillard-Ball, A. et al. (2013). Is the curb 80% full or 20% empty? Assessing the impacts of San Francisco's parking pricing experiment. Transportation Research Part A, 63(2014), 76-92.<br><br>Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ab.ca.gov/cars375/policies/policies.htm">https://ab.ca.gov/cars375/policies/policies.htm</a><br><br>Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ab.ca.gov/cars375/policies/policies.htm">https://ab.ca.gov/cars375/policies/policies.htm</a> |
| Transit System                 | 3.5.3    | TST-3 Expand Transit Network                             | Downtown only         | 0.1-0.2% VMT reduction in response to increase in transit network coverage                            | Adequate   | Reduction in vehicle trips due to increased transit service hours or coverage.<br><br>Reduction in vehicle trips due to increased transit frequency/decreased headway.   | 0.1%-10.5%                                 | Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ab.ca.gov/cars375/policies/policies.htm">https://ab.ca.gov/cars375/policies/policies.htm</a><br><br>Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ab.ca.gov/cars375/policies/policies.htm">https://ab.ca.gov/cars375/policies/policies.htm</a>   |
| Transit System                 | 3.5.4    | TST-4 Increase Transit Service Frequency/Speed           | Downtown and suburban | 0.02%-2.5% VMT reduction due to reduced headways and increased speed and reliability                  | Adequate   | Reduction in vehicle trips due to increased transit frequency/decreased headway.   | 0.3%-6.3%                                  | Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ab.ca.gov/cars375/policies/policies.htm">https://ab.ca.gov/cars375/policies/policies.htm</a>   |
| Transit System                 | 3.5.1    | TST-1 Provide a Bus Rapid Transit System                 | Downtown only         | 0.02%-3.2% VMT reduction by converting standard bus system to BRT system                              | Adequate   | No new information identified.   | Same                                       | N/A  |
| Commuter Trip Reduction        | 3.4.4    | TRT-1 Implement Subsidized or Discounted Transit Program | Downtown only         | 0.3%-20% commute VMT reduction due to transit subsidy of up to 36¢/day                                | Adequate - Effectiveness is building/tenant specific. Do not use with "TRT-1 Implement CTR Program - Voluntary" or "TRT-2 Implement CTR Program - Required Implementation/Monitoring." | 1) Reduction in vehicle trips in response to reduced cost of transit use, assuming that 10-50% of new bus trips replace vehicle trips. 2) Reduction in commute trip VMT due to employee benefits that include transit. 3) Reduction in all vehicle trips due to  | 1) 0.3%-14%<br>2) 0-16%<br>3) 0.1% to 6.5% | 1) Victoria Transport Policy Institute. (2017). Understanding Transport Demands and Elasticities. Online TDM Encyclopedia. Retrieved from: <a href="http://www.vtpi.org/tdm/tdm11.htm">http://www.vtpi.org/tdm/tdm11.htm</a><br><br>2) Carolina, P. et al. (2016). Do Employee Commuter Benefits Increase Transit Ridership? Evidence from the NY-NJ Region. Washington, DC: Transportation Research Board, 96th Annual Meeting.<br><br>3) Handy, S. et al. (2013). Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions - Policy Brief and Technical Background Document. California Air Resources Board. Retrieved from: <a href="https://ab.ca.gov/cars375/policies/policies.htm">https://ab.ca.gov/cars375/policies/policies.htm</a>  |

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FEHR & PEERS

Relevant Strategies for Implementation in Garden Grove Due to Land Use Context

|                         |          | New Information Since CAPCOA Was Published in 2010 |   |   |  |  |
|-------------------------|----------|--|---|---|--|--|
| CAPCOA Category         | CAPCOA # | Appropriate Context?                               | CAPCOA Reduction  | Strength of Substantial Evidence for CEQA Impact Analysis?  | Change in VMT reduction compared to CAPCOA | Literature or Evidence Cited   |
| Commuter Trip Reduction | 3.4.6    | Downtown and suburban                              | 0.07%-2.5% commute VMT reduction due to reduced commute trips                       | Adequate - Effectiveness is building/tenant specific. Do not use with "TRI-1 Implement CTR Program - Voluntary" or "TRI-2 Implement CTR Program - Required Implementation/Monitoring" | 0.2%-4.5%                                  | Handy, S. et al. (2013). Policy Brief on the Impacts of Telecommuting Based on a Review of the Empirical Literature. California Air Resources Board. Retrieved from: <a href="https://www.arb.ca.gov/cc/ab375/policies/telecommuting/telecommuting_brief120313.pdf">https://www.arb.ca.gov/cc/ab375/policies/telecommuting/telecommuting_brief120313.pdf</a> |
| Commuter Trip Reduction | 3.4.3    | Downtown and suburban                              | 1%-15% commute VMT reduction due to employer ride share coordination and facilities | Adequate - Effectiveness is building/tenant specific. Do not use with "TRI-1 Implement CTR Program - Voluntary" or "TRI-2 Implement CTR Program - Required Implementation/Monitoring" | 2.5%-8.3%                                  | Victoria Transport Policy Institute. (2015). Ride-sharing: Carpooling and Vanpooling. Online TDM Encyclopedia. Retrieved from: <a href="http://vtpi.org/dm/tdm34.htm">http://vtpi.org/dm/tdm34.htm</a>   |

## EXHIBIT 2

on-site, 3) traffic circles, 4) diverters, or speed humps, 5) curb extensions, 6) entrance treatments, or other effective traffic management techniques that reduce or eliminate the traffic intrusion impacts.

- Policy CIR-3.4 Prioritize circulation improvements that enhance through traffic flow on Major, Modified Major, Primary, and Secondary Arterials that provide parallel routes to residential streets, in order to reduce through traffic during peak commute periods.
- Policy CIR-3.5 Require new developments to implement access and traffic management plans that will reduce the potential for neighborhood traffic intrusion through factors such as driveway location, turn restrictions, shuttle bus operations, and/or travel demand strategies.
- CIR-IMP-3A Continue to work with citizens to identify and implement appropriate neighborhood traffic management strategies to minimize non-local traffic volumes in residential areas.
- CIR-IMP-3B Continue to enforce the City's posted speed limits. To this end, implement vehicular speed awareness programs (e.g., mobile radar trailers, traffic stops, etc.). Particular attention should be focused on those areas immediately adjacent to the Garden Grove Freeway.

Also refer to Goals and Policies in the Community Design Element.

### REDUCED VEHICLE TRIPS

|                   |  |
|-------------------|--|
| <b>Goal CIR-4</b> | <b>A reduction in vehicle miles traveled in order to create a more efficient urban form.</b> |
|-------------------|--|

- Policy CIR-4.1 Strive to achieve a balance of land uses whereby residential, commercial, and public land uses are proportionally balanced.
- Policy CIR-4.2 Strive to reduce the number of miles traveled by residents to their places of employment.
- Policy CIR-4.3 Ensure the reduction in vehicle miles traveled through the approval of mixed use development proposals.
- CIR-IMP-4A Encourage the development of mixed use projects as a means of reducing peak commute period traffic.

Also refer to Economic Development Goals 3, 4, and 5 that pertain to the expanding retail offerings in the City, as well as expanding industrial, office and research and development employment sectors in the City.

In addition, refer to implementation measures for Circulation Goals 10 and 11.



## ALTERNATIVE FORMS OF TRANSPORTATION

**Goal CIR-5 Increased awareness and use of alternate forms of transportation generated in, and traveling through, the City of Garden Grove.**

- ➔ Policy CIR-5.1 Promote the use of public transit.
- ➔ Policy CIR-5.2 Continue to work with OCTA to implement and maintain the "Smart Street" corridors in the City to provide improved multi-modal traffic operations along those corridors.
- ➔ Policy CIR-5.3 Provide appropriate bicycle access throughout the City of Garden Grove.
- ➔ Policy CIR-5.4 Provide appropriate pedestrian access throughout the City of Garden Grove.
- ➔ Policy CIR-5.5 Continue to implement the provisions of the Transportation Demand Ordinance.
- ➔ CIR-IMP-5A Promote the use of Transportation Demand Management (TDM) Measures.
- ➔ CIR-IMP-5B Encourage the creation of programs such as Transportation Systems Management (TSM), public transit, carpools/ vanpools, ride-match, bicycling, and other alternatives to the energy-inefficient use of vehicles.
- ➔ CIR-IMP-5C Encourage incentives for the creation and use of car or vanpools for City employees.

## BIKEWAYS

**Goal CIR-6 A safe, appealing, and comprehensive bicycle network provides additional recreational opportunities for Garden Grove residents and employees.**

- ➔ Policy CIR-6.1 Continue to implement an updated Master Plan of Bikeways and its amendments.
- ➔ Policy CIR-6.2 Continue to maintain roadways and remove barriers on streets with bikeway facilities.
- ➔ Policy CIR-6.3 Encourage existing major traffic generators, and new major traffic generators to incorporate facilities, such as bicycle racks and showers, into the development.
- ➔ Policy CIR-6.4 Continue to pursue and monitor funding sources for bikeway facilities.
- ➔ Policy CIR-6.5 Sponsor bicycle safety and education programs.
- ➔ CIR-IMP-6A Encourage the Public Works Department to consider bikeways in their prioritization of re-paving, and street sweeping.
- ➔ CIR-IMP-6B Consider amending the City's Zoning Code to require major traffic generators to include bikeway facilities.





- ➔ CIR-IMP-6C Provide incentives to developers who incorporate bikeways into developments.
- CIR-IMP-6D Update the existing Master Plan of Bikeways to comply with Caltrans standards in order to qualify for funding of new bikeway facilities.
- ⋮ CIR-IMP-6E Consider implementing the Safe Routes to schools program to qualify for funding.
- CIR-IMP-6F Maintain awareness of Orange County Transit Authority (OCTA) grant opportunities.
- ⋮ CIR-IMP-6G Encourage bicycle safety awareness classes at community centers or parks where facilities are currently located.
- ⋮ CIR-IMP-6H Encourage the placement of signage that educates and informs automobiles and bicyclists that use the facility.

**ACCESS AND TRAFFIC FLOW IN PARKING AREAS**

**Goal CIR-7 Adequate access to appropriate parking areas within the City.**

- ⋮ Policy CIR-7.1 Design safe and efficient vehicular access to properties from arterial streets to ensure efficient vehicular ingress and egress.
- Policy CIR-7.2 Review development plans and encourage designs that consolidate access locations onto streets and provide adequate turn lanes into sites to minimize conflicts with through traffic on adjacent streets.
- Policy CIR-7.3 Continue to evaluate the City's zoning ordinance to ensure that adequate parking, and access to that parking, is provided for all land uses.
- ⋮ Policy CIR-7.4 Require developments to provide adequate storage for exiting vehicles including multiple turning lanes at signalized access drives to reduce the time needed to exit vehicles from the site and improve intersection operations.
- Policy CIR-7.5 Evaluate and determine restrictions for on-street parking along arterials in the City of Garden Grove.
- ⋮ CIR-IMP-7A Minimize access on the City's arterials by consolidating driveways and encouraging reciprocal access agreements with adjoining property owners.
- CIR-IMP-7B Require common entries and parking areas for commercial developments facing onto an arterial street. Supplemental drives may be provided on alleys or adjacent collector streets.
- CIR-IMP-7C Create internal circulation and parking area guidelines for new commercial and industrial development, and utilize these guidelines as part of the development review process.
- CIR-IMP-7D Revise the City's parking standards to possibly include: requirements for paid parking, parking at major employment centers, and similar issues.



- CIR-IMP-7E Consider the application of parking management tools that may include, but not be limited to: parking fees, provision of peak period street parking, preferential parking, establishment of parking zone permit programs, park and ride lots and shuttle service.
- CIR-IMP-7F Consider the prohibition of on-street parking on arterials to increase the traffic capacity and improve vehicular and pedestrian safety.
- CIR-IMP-7G Develop a permit parking program for on-street parking in multi-family residential neighborhoods, where feasible and necessary.

**TRUCK TRAFFIC**

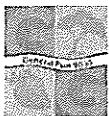
**Goal CIR-8** Minimized impacts associated with truck traffic through the City, as well as the parking locations of these vehicles.

- Policy CIR-8.1 Continue to enforce the City's adopted truck route system.
- Policy CIR-8.2 Prioritize capacity and operational enhancements along designated truck routes.
- Policy CIR-8.3 Work with adjacent communities and regional agencies to identify alternative systems for goods movement.
- Policy CIR-8.4 Review current goods movement patterns and determine if possible restrictions on hours of truck traffic may reduce impacts to area streets.
- CIR-IMP-8A Periodically re-evaluate the City's adopted truck route system to ensure that all truck routes, "large truck routes," and parking locations for these vehicles are appropriate.

**ATTRACTIVE STREETSCAPES**

**Goal CIR-9** Improved aesthetic quality and maintenance of arterial highways and local roadways.

- Policy CIR9.1 Strive to achieve adequate funding levels for street and parkway maintenance in each budgetary cycle.
- Policy CIR-9.2 Provide landscaped medians and greenbelts along major arterials, highways, and freeways, when economically feasible.
- Policy CIR-9.3 Ensure the aesthetic quality and maintenance of facilities within the City under the jurisdiction of other agencies.
- Policy CIR-9.4 Target and prioritize street beautification programs along Major arterials within the City.
- CIR-IMP-9A Through design guidelines and zoning requirements, require the provision of landscaped medians and parkways for all new development or redevelopment projects.



CIR-IMP-9B Work with Caltrans to ensure that soundwalls along State facilities are landscaped and maintained with plant materials.

Also refer to related Goals and Policies in the Community Design Element.

## INTERJURISDICTIONAL TRANSPORTATION PLANNING

**Goal CIR-10 Participation in regional transportation planning efforts to address inter-jurisdictional issues, and maintain competitive advantage in capital improvement funding programs, as appropriate.**

Policy CIR-10.1 Continue to comply with, and participate in, federal, state, and regional planning efforts as a means of maintaining eligibility for future roadway funding, as appropriate.

Policy CIR-10.2 Actively pursue federal, state, and regional funds for local and regional roadway improvements.

→ Policy CIR-10.3 Encourage employers to reduce employee-related travel.

Policy CIR-10.4 Examine the potential impacts to the community associated with county-wide street projects (i.e., effects on property values, increased noise and air quality impacts, potential improvement to marginal commercial areas, etc.)

CIR-IMP-10A Continue to participate in interjurisdictional planning forums, in order to coordinate circulation improvements in the area.

CIR-IMP-10B Continue to foster coordination with adjoining cities and regional agencies, as well as utility companies and transportation agencies with right-of-ways within the City, in order to facilitate transit opportunities.

CIR-IMP-10C Continue to investigate the possibility of park-and-ride facilities within the City.

→ CIR-IMP-10D Support ride sharing, flexible work scheduling, and telecommuting for City employees, as well as for major businesses and industries within the City.

→ CIR-IMP-10E Investigate the feasibility of an intra-City van or municipal bus service for shopping, recreation, and other transportation needs of residents, workers, and the transit dependent.

→ CIR-IMP-10F Pursue every effort possible the investigation and development of a fix rail/light rail transit system to connect downtown Anaheim to Huntington Beach with various stops along the route, which would run through the Cities of Anaheim, Stanton, Garden Grove, Westminster and Huntington Beach. The investigation should consider the use of diesel- or electric-powered railcars for the rail transit system, such as a diesel multiple unit (DMU), which is a self-propelled commuter rail passenger car that is capable of pulling additional coaches.



## TRANSPORTATION PLAN COMPLIANCE

**Goal CIR-11** Continued compliance with regional congestion management, transportation demand, traffic improvement, air quality management, and growth management programs.

- Policy CIR-11.1 Strive to facilitate compliance with the Congestion Management Program (CMP).
- Policy CIR-11.2 Continue compliance with Measure M, as amended.
- Policy CIR-11.3 Continue to meet Measure M requirements to ensure the City's eligibility to receive Measure M funds.
- Policy CIR-11.4 Continue to investigate the possibility of park-and-ride facilities within the City.
- Policy CIR-11.5 Encourage employers to reduce employee-related travel.
- CIR-IMP-11A Continue land use coordination through the utilization of standardized traffic impact analysis methodologies.
- CIR-IMP-11B Agree to expend all Measure M revenues within all three years of receipt.
- CIR-IMP-11C Continue to encourage major employers to use van pools and other high occupancy vehicles (HOVs) for home to work journeys.
- CIR-IMP-11D Continue to encourage employers to use vans, small buses, and other HOVs to link work places with potential park-and-ride facilities and transit centers.
- CIR-IMP-11E Encourage the provision of convenient eating and recreational facilities on-site for businesses employing more than 100 people.
- CIR-IMP-11F Encourage businesses to establish incentives and regulations to spread work trips over a longer period to reduce peak period congestion.

## MEASURE M DEVELOPMENT PHASING AND MONITORING PROGRAM

**Goal CIR-12** A Citywide development phasing and monitoring program, as required by Measure M.

- Policy CIR-12.1 Continue to require for all new development or redevelopment projects a development phasing plan that phases approval of development commensurate with required improvements.
- CIR-IMP-12A Ensure that adequate time is allocated to design and construct infrastructure, specifically transportation improvements, for approved development projects.
- CIR-IMP-12B Maintain the annual performance monitoring program of the development phasing plans within the City.



- Policy LU-1.7 Encourage the design of new commercial developments as integrated centers, rather than as small individual strip developments.
- Policy LU-1.8 Discourage strip commercial development and encourage a pattern of alternating land uses along major arterials with "nodes" of commercial development either separated or mixed with other uses such as residential, industrial, or institutional.
- Policy LU-1.9 Designate areas for urban land uses where adequate levels of public facilities and services exist or are planned.
- Policy LU-1.10 Promote future patterns of urban development and land use that reduce infrastructure construction costs and make better use of existing and planned public facilities.
- LU-IMP-1A Evaluate proposed amendments to the General Plan Land Use Diagram (Exhibit LU-3) to consider the effects such amendments will have on the City's ability to achieve its goals.
- LU-IMP-1B Amend the Zoning Code to implement mixed use zoning districts that provide development standards for mixed use development, which should address minimum density and intensity requirements; allowable uses; horizontal and/or vertical mix of uses, building heights; and parking standards.
- LU-IMP-1C Evaluate mixed use projects to ensure that there is an adequate mix of uses on the site and in the area.

## NEIGHBORHOOD PRESERVATION

|                  |   |
|------------------|---|
| <b>Goal LU-2</b> | <b>Stable, well-maintained residential neighborhoods in Garden Grove.</b> |
|------------------|---|

- Policy LU-2.1 Protect residential areas from the effects of potentially incompatible uses. Where new commercial or industrial development is allowed adjacent to residentially zoned districts, maintain standards for circulation, noise, setbacks, buffer areas, landscaping and architecture, which ensure compatibility between the uses.
- Policy LU-2.2 Strive to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life.
- Policy LU-2.3 Prohibit uses that lead to deterioration of residential neighborhoods, or adversely impact the safety or the residential character of a residential neighborhood.
- Policy LU-2.4 Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.
- Policy LU-2.5 Continue to provide rehabilitation assistance to those neighborhoods where it is needed with the understanding that subsequent code enforcement will be used to protect the City's investment in the area.



### 8.3 KEY THEMES AND VISION FOR GENERAL PLAN

#### PROACTIVE APPROACH TO IMPROVING AIR QUALITY

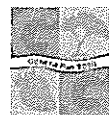
Garden Grove recognizes the importance of air quality not only to public health and safety, but also to the City's and the region's economic well being. The City will identify the role it can play in helping the South Coast Air Basin attain the goal of meeting Federal and State air quality standards, as well as the function the City has in protecting its own residents and businesses from the impacts of harmful air contaminants.

This Element explains the role Garden Grove plays in helping the South Coast Air Basin attain the goal of meeting Federal and State air quality standards, as well as the function the City has in protecting its own residents and businesses from the impacts of harmful air contaminants. This Element includes goals and policies that will assist in the attainment of State and Federal air quality standards, as well as in the achievement of improved land use decisions as they relate to air quality. The City, through the Land Use Element and General Plan Land Use Diagram, is committed to both the preservation of existing residential areas and the expansion of mixed use development along major arterial corridors that will assist the City in working towards clean air while at the same time, permitting reasonable and planned growth.

### 8.4 GOALS, POLICIES, AND IMPLEMENTATION PROGRAMS

This Element is organized into goals, policies, and implementation programs. A description of each is provided in Chapter 1, Introduction. It is important to note that the implementation programs are specific actions to carry out all of the preceding goals and policies.

| Goal AQ-1     | Air quality that meets the standards set by the State and Federal governments.   |
|---------------|--|
| Policy AQ-1.1 | Coordinate with other agencies in the region, particularly the South Coast Air Quality Management District (SCAQMD) and the Southern California Association of Governments (SCAG) to implement the provisions of the region's Air Quality Management Plan (AQMP), as amended.                                  |
| Policy AQ-1.2 | Strive to achieve conformance with the state-mandated congestion management plans (CMPs), transportation demand management (TDM) plans, or other like State or Federally required pollution reduction plans.   |
| AQ-IMP-1A     | Continue to participate, where possible, in committees involved in the development and implementation of a countywide air quality implementation plan.   |
| → AQ-IMP-1B   | Encourage and assist employers in developing and implementing work trip reduction plans, employee ride sharing, modified work schedules, preferential carpool and vanpool parking, or any other trip reduction approach that is consistent with the Air Quality Management Plan for the South Coast Air Basin. |
| AQ-IMP-1C     | Continue to implement a TDM ordinance.   |

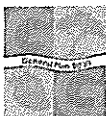


**Goal AQ-2      Increased awareness and participation throughout the community in efforts to reduce air pollution and enhance air quality.**

- Policy AQ-2.1      Increase public information activities regarding air quality issues.
- Policy AQ-2.2      Promote and encourage ride sharing activities within the community.
- Policy AQ-2.3      Continue to improve existing sidewalks, bicycle trails, and parkways, and require sidewalk and bicycle trail improvements and parkways for new development or redevelopment projects.
- Policy AQ-2.4      Relieve congestion on major arterials and reduce emissions.
- Policy AQ-2.5      Separate, buffer, and protect sensitive receptors from significant sources of pollution to the greatest extent possible.
- AQ-IMP-2A      Establish additional park-and-ride facilities for work and non-work trip reductions.
- AQ-IMP-2B      Require new development or redevelopment projects to provide pedestrian and bicycle trails access to nearby shopping and employment centers.
- AQ-IMP-2C      Encourage companies that ship or receive high volumes of goods by commercial truck to limit operations to non-peak traffic periods.
- AQ-IMP-2D      Continue preventive maintenance and repair of City vehicles and equipment. Investigate the possibility of converting the existing vehicle fleet to clean fuel vehicles.
- AQ-IMP-2E      Encourage, publicly recognize, and reward innovative approaches that improve air quality.

**Goal AQ-3      A diverse and energy efficient transportation system incorporating all feasible modes of transportation for the reduction of pollutants.**

- Policy AQ-3.1      Cooperate and participate with regional and local efforts to develop an efficient transportation system that reduces vehicle trips and vehicle miles traveled.
- Policy AQ-3.2      Cooperate in efforts to expand and promote the use of bus, rail, and other forms of transit within the region in order to further reduce pollutants.
- AQ-IMP-3A      Continue to work closely with the Orange County Transit Authority (OCTA) and adjacent cities to establish an alternative transportation system along the OCTA right-of-way, such as the "Go Local" program on the right-of-way between Garden Grove and Santa Ana.
- AQ-IMP-3B      Support public transit providers to increase funding for alternative modes of travel.



- AQ-IMP-3C Participate with public transit providers serving the City and Orange County in a cooperative program to further increase transit services.
- AQ-IMP-3D Develop the bicycle routes identified in the Parks, Recreation, and Open Space Element to support the use of bicycles as an alternate mode of transportation.
- AQ-IMP-3E Allow or encourage programs for priority parking or free parking in City parking lots for alternative fuel vehicles, especially zero and super ultra low emission vehicles (ZEVs and SULEVs).
- AQ-IMP-3F Support the development of alternative fuel infrastructure that is publicly accessible.

**Goal AQ-4 Efficient development that promotes alternative modes of transportation, while ensuring that economic development goals are not sacrificed.**

- Policy AQ-4.1 Review site developments to ensure pedestrian safety and promote non-automotive users.
- Policy AQ-4.2 Encourage neighborhood parks and community centers near concentrations of residential areas and include pedestrian walkways and bicycle paths to encourage non-motorized travel.
- Policy AQ-4.3 Encourage "walkable" neighborhoods with pedestrian walkways and bicycle paths in residential and other types of developments to encourage pedestrian rather than vehicular travel.
- AQ-IMP-4A Periodically review parking requirements and revise as necessary with market demands in relation to air quality guidelines.
- AQ-IMP-4B Investigate short- and long-term parking strategies at civic and private facilities.
- AQ-IMP-4C Require sidewalks through parking lots, bicycle racks near building entrances and other provisions for the safety and convenience of pedestrian and bicycle riders at all commercial, mixed use, and production facilities.

**Goal AQ-5 An improved balance of residential, commercial, industrial, recreational, and institutional uses to satisfy the needs of the social and economic segments of the population. Work towards clean air while still permitting reasonable planned growth.**

- Policy AQ-5.1 Support mixed use developments.
- Policy AQ-5.2 Encourage infill development projects within urbanized areas that include jobs centers and transportation nodes.
- Policy AQ-5.3 Promote mixed use development that allows the integration of retail, office, industrial, institutional, and residential uses for the purposes of reducing costs of infrastructure construction and maximizing the use of land.





- Policy AQ-5.4 Encourage employment centers that are non-polluting or low polluting and do not draw large number of vehicles in proximity to residential uses.
- Policy AQ-5.5 Avoid locating multiple-family developments close to areas that emit harmful air contaminants.
- Policy AQ-5.6 Increase residential and commercial densities around bus and/or rail transit stations, and along major arterial corridors.
- Policy AQ-5.7 Preserve transportation corridors with the potential of high demand or of regional significance for future expansion to meet project demand.
- AQ-IMP-5A Encourage mixed use developments that combine residential and commercial or industrial business locations, thereby improving convenience and reducing trip generation.

**Goal AQ-6 Increased energy efficiency and conservation.**

- Policy AQ-6.1 Develop incentives and/or regulations regarding energy conservation requirements for private and public developments.
- Policy AQ-6.2 Promote energy conservation and disseminate information throughout the community about energy conservation measures.
- AQ-IMP-6A Remove barriers for the use of solar energy for residential, commercial, industrial, or institutional uses.
- AQ-IMP-6B Research and secure financial assistance and other means to support, provide, and address energy efficient applications such as solar panels, cool roofs, wind energy, building modifications, etc.
- AQ-IMP-6C Continue to promote overall energy efficiency at local public facilities and continue preventative maintenance programs.
- AQ-IMP-6D Require new development to comply with the energy use guidelines in Title 24 of the California Administrative Code).
- AQ-IMP-6E Consider the development and implementation of a residential shade tree program that would provide trees to residents to reduce energy consumption.
- AQ-IMP-6F Consider the development and implementation of an urban forest plan to plant additional trees citywide.
- AQ-IMP-6G Develop incentives and/or regulations regarding energy conservation requirements for private and public developments.
- AQ-IMP-6H Monitor energy conservation or renewable energy generation programs proposed by the State or Federal government, such as California Energy Commission's New Solar Homes Partnership to determine this applicability to new development or redevelopment projects in the City.

